



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

STANLEY "SKIP" PRUSS  
DIRECTOR

**MICHIGAN BOARD OF BOILER RULES**  
Okemos Office Conference Room 3

**March 17, 2009**

**9:30 A.M.**

**\* A G E N D A \***

1. Call to order and determination of quorum R. Jenkins
  
2. Approval of Board Meeting Minutes for R. Jenkins  
     December 9, 2008  
     September 16, 2008  
     December 11, 2007
  
3. Election of Board Chair, Vice Chair and Secretary R. Jenkins
  
4. Chief Inspector's Report R. Aben  
     (Document BLR2009-03)  
     (To be handed out at meeting)
  
5. Review of Chief Inspector's recommendations R. Aben  
     for issuance of licenses for Installers and Repairers  
     A. June 2008 Examinations (Document BLR2008-02)  
     B. March 2009 Examinations (Document BLR2009-02)  
     (To be handed out at meeting)
  
6. Review of Chief Inspector's recommendations R. Aben  
     for issuance of boiler operator registration for  
     Boiler Operators and Stationary Engineers. (Document BLR2009-06)
  
7. Nuclear Activity Reports (No Report)

**Continue to next page**

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- |  |                       |         |
|--|-----------------------|---------|
| 8. Re-qualification of Section 23          |                       | R. Aben |
| A. Consumers Energy                        | (Document BLR2008-03) |         |
| B. Dow Chemical Company                    | (Document BLR2008-04) |         |
| 9. Accident Statistics                     |                       | R. Aben |
|  | (No Report)           |         |
| 10. Violations Issued                      |                       |         |
|  | (No Report)           |         |
| 11. Legislative Update                     |                       | R. Aben |
| A. Senate Bill No. 96                      | (Document BLR2009-04) |         |
| 12. Old Business                           |                       |         |
| A. Financial Report                        | (See Chief's Report)  | R. Aben |
| 13. New Business                           |                       | R. Aben |
| A. Consumers Energy Request for Extension  | (Document BLR2009-01) |         |
| B. Boiler Operator and Stationary Engineer |                       |         |
| Legislation and Rules                      | (Document BLR2009-05) | R. Aben |
| 14. Next Meeting – June 10, 2009           |                       |         |
| 15. Adjournment                            |                       |         |

**MICHIGAN BOARD OF BOILER RULES  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

Conference Room #3  
2501 Woodlake Circle  
Okemos, Michigan 48864

**MINUTES**  
December 9, 2008  
9:30 a.m.

**MEMBERS PRESENT**

Mr. Roger Jenkins, Chair  
Mr. Robert Caraway, Vice Chair  
Mr. Larry Black, Secretary  
Mr. Mark Babcock  
Mr. Kim Black  
Mr. Eric Cameron  
Mr. Jason Jackard  
Mr. Muterspaugh  
Mr. Dennis Rupert  
Mr. Daniel Sovinski  
Mr. Frank Wiechert  
Mr. Irvin Poke, Present as Ex-Officio

**MEMBERS ABSENT**

Mr. Jeffrey Appel  
Mr. Anthony Jacobs

**MI DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING**

Mr. Robert Aben, Chief, Boiler Division  
Mr. William Vallance, Assistant Chief, Boiler Division  
Ms. Lisa Rambo, Office Supervisor, Boiler Division  
Mrs. Beth Aben, Deputy Director

**OTHERS IN ATTENDANCE**

**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 9:30 a.m. by Mr. Jenkins. A quorum was determined present at that time.

2. **ANNOUNCEMENTS**

Mr. Aben introduced and welcomed the two newly appointed board members Mr. Eric Cameron and Mr. Michael Muterspaugh. Introduction of Mr. Irvin Poke Director, Mrs. Beth Aben Deputy Director, and Mrs. Holly Velez Executive Assistant.

3. **APPROVAL OF MINUTES**

Due to inconsistencies in the minutes, the following is a summary of board meeting events for June, September, and December 2008.

A **MOTION** was made by Mr. Caraway, and supported by Mr. Wiechert to approve the minutes of the September 16, 2008 board meeting. **MOTION CARRIED.**

A **MOTION** was made by Mr. Wiechert, and supported by Mr. Rupert to approve the minutes of the March 12, 2008 board meeting. **MOTION CARRIED.**

Discussion insured over inconsistencies in the minutes.

A **MOTION** was made to rescind approval of the minutes by Mr. Babcock, and supported by Mr. Sovinski of the March 12 and September 16, 2008 board meeting. **MOTION CARRIED.**

A **MOTION** was made to table review and approval of the March 12 and September 16, 2008 minutes until the March 17, 2009 board meeting by Mr. Babcock, and supported by Mr. Muterspaugh. **MOTION CARRIED.**

**September 16, 2008. A quorum was present.**

4. Mr. Jenkins stated June 10 minutes for license issuance was missing names of who motioned and seconded. The names were absent due to no quorum at the June meeting. Minutes approved.
8. Requalification of section 23. Lansing Board of Water and Light. The agenda for September incorrectly showed Consumers Energy in the item title. Motion made and seconded to approve Lansing Board of Water and Light. Document BLr2008-10.

**June 10, 2008. A quorum was not present.**

2. Approval of minutes; Due to no quorum the board recommend approval at the September 16, 2008 meeting
4. Serverstal rotary joint waiver Document BLR2008-01, Bureau Director Mr. Henry Green was asked to attend the meeting for this item only. Quorum present, Motion Carried.
5. Issuance of repairer & installer license for March 2008 & June 2008 exam; Document BLR2008-02. Recommend approval at the September 16, 2008 meeting
7. Requalification of Section 23; for Consumers Energy Document BLR2008-03 and Dow Chemical Document BLR2008-04. Recommend approval at the September 16, 2008 meeting.

4. **ELECTION OF BOARD SECRETARY**

At the September 16, 2008 board meeting; Larry Black nominated for Board Secretary, motion carried. Mr. Black was not reappointed to the board.

Mr. Caraway nominated Mr. Daniel Sovinski as board secretary. Mr. Sovinski accepted.

A **MOTION** was made by Mr. Caraway, and supported by Mr. Jackard to approve the nomination of Mr. Daniel Sovinski as board secretary. **MOTION CARRIED.**

5. **NEW BUSINESS**

Review and approve 2009 board meeting schedule. Document BLR2008-16

A **MOTION** was made by Mr. Babcock, and supported by Mr. Caraway to approve the 2009 board meeting schedule. Document BLR2008-16 **MOTION CARRIED.**

6. **REVIEW OF CHIEF INSPECTOR'S RECOMMENDATIONS FOR ISSUANCE OF LICENSES FOR REPAIRERS AND INSTALLERS. -- ROBERT ABEN**

The board reviewed the March and December 2008 examinations results. Document BLR2008-13.

A **MOTION** was made by Mr. Rupert, and supported by Mr. Caraway to approve issuance of a license to the individuals that passed the March and December 2008 examination. Document BLR2007-13. **MOTION CARRIED.**

7. **NUCLEAR ACTIVITY REPORTS**

**No Report.**

8. **RE-QUALIFICATION OF SECTION 23**

**No Report.**

9. **ACCIDENT STATISTICS**

**No Report.**

10. **VIOLATIONS ISSUED – ROBERT ABEN**

The board reviewed the file for Document BLR2008-14.

**Received and Filed.**

11. **LEGISLATIVE UPDATE – WILLIAM VALLANCE**

A. Rule Changes General Document BLR2008-15

**Received and Filed.**

B. Boiler Operator Rule Report – **ROBERT ABEN**

**Verbal Report Given**

12. **OLD BUSINESS – ROBERT ABEN**

a. Financial Report – **No Report**

b. Chief Inspector's Report – Robert Aben. Document BLR2008-15.

13. **PUBLIC COMMENT**

**No Report.**

14. **NEXT MEETING – MARCH 17, 2009 CONFERENCE ROOM #3.**

15. **ADJOURNMENT**

16. The meeting was adjourned at 11:00 a.m.

17. Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Chair

**MICHIGAN BOARD OF BOILER RULES  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
BUREAU OF CONSTRUCTION CODES**

Conference Room #3  
2501 Woodlake Circle  
Okemos, Michigan 48864

**MINUTES**

September 16, 2008  
9:30 a.m.

**MEMBERS PRESENT**

Mr. Roger Jenkins, Chair  
Mr. Robert Caraway, Vice Chair  
Mr. Lawrence Black, Secretary  
Mr. Mark Babcock  
Mr. Kim Black  
Mr. Jason Jackard  
Mr. Dennis Rupert  
Mr. Daniel Sovinski  
Mr. Neil Vierson  
Mr. Frank Wiechert

**MEMBERS ABSENT**

Mr. Jeffrey Appel  
Mr. Anthony Jacobs

**MI DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING**

Mr. Robert Aben, Chief, Boiler Division  
Mr. William Vallance, Assistant Chief, Boiler Division  
Ms. Lisa Rambo, Office Supervisor, Boiler Division  
Mrs. Beth Aben, Deputy Director

**OTHERS IN ATTENDANCE**

**1. CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 9:35 a.m. by Mr. Aben. A quorum was determined present at that time. Mr. Aben conducted the meeting because the board chair and vice chair were not reappointed to the board. See item #2.



2. **ANNOUNCEMENTS.**

- A. Introduction of new board members:  
Mark Babcock replacing Richard Kirsch.  
Kim Black replacing Joseph Day.  
Daniel Sovinski replacing Curt Songer.  
Jason Jackard replacing Robert Weber.

- B. Members Re-appointed:  
Robert Caraway  
Anthony Jacobs  
Roger Jenkins  
Dennis Rupert  
Frank Wiechert

C. Election of Board Officers

Chair

A **MOTION** was made by Mr. Caraway and seconded by Mr. Rupert to elect Mr. Jenkins as Chair. **MOTION CARRIED**

Vice Chair

A **MOTION** was made by Mr. Wiechert and seconded by Mr. Vierson to elect Mr. Caraway as Vice Chair. **MOTION CARRIED**

Secretary

A **MOTION** was made by Mr. Wiechert and seconded by Mr. Caraway to elect Mr. Lawrence Black as Secretary. **MOTION CARRIED**

3. **REVIEW AND APPROVAL OF 2009 MEETING DATES**

Board of Boiler Rules: reviewed dates for 2009 board meetings.

License exams: reviewed dates for Installers, Repairers, and National Board 2009 exams.

**Received and Filed.**

4. **APPROVAL OF MINUTES**

Mr. Jenkins stated that the June 10<sup>th</sup> minutes did not contain the names of the members who motioned and seconded the issuance of licenses for repairers and installers. It was discovered that there was no motion at the June meeting, due to lack of quorum.

A **MOTION** was made by Mr. Vierson and seconded by Mr. Caraway to approve the minutes. **MOTION CARRIED**

5. **NEW BUSINESS**

DPI Alpena Power Plant request for extension of inspection certificates for boilers R026437, R026438, and R0327321. Document BLR2008-08.

A **MOTION** was made by Mr. Vierson, and supported by Mr. Caraway to deny DPI Alpena Power Plant request for extension of inspection certificates for boilers R026437, R026438, and R032732. Document BLR2008-08.

After further discussion on DPI Alpena Power Plant request for extension of inspection certificates for boilers, the board voted to amend the motion by extending the certificate expiration date to January 2, 2009 at which time the boiler shall be shut down and inspected.

A **MOTION** was made by Mr. Vierson, and supported by Mr. Wiechert to amend the extension of inspection certificate for boilers R026437, R026438, and R032732 from December 18, 2008 to January 2, 2009 for DPI Alpena Power Plant. Document BLR2008-08. **MOTION CARRIED.**

6. **REVIEW OF CHIEF INSPECTOR'S EXAMINATION REPORT. – ROBERT ABEN**

The board reviewed the September 2008 examinations results. Document BLR2008-09.

A **MOTION** was made by Mr. Vierson, and supported by Mr. Rupert to approve issuance of a license to the individuals that passed the September 2008 examination. Document BLR2007-09. **MOTION CARRIED.**

7. **NUCLEAR ACTIVITY REPORTS**

**No Report**

8. **RE-QUALIFICATION OF SECTION 23 – ROBERT ABEN**

Lansing Board of Water and Light request for Section 23 Exemption renewal. (Document BLR2008-10)

The boiler division recommends renewal of Lansing Board of Water and Light Section 23 Exemption for repairs to their boilers and piping at their Michigan facilities for a period of three years to expire on January 1, 2011 or continue until the next review can be conducted.

A **MOTION** was made by Mr. Vierson, and supported by Mr. Babcock to approve Lansing Board of Water and Light Section 23 Exemption for repairs to their boilers and piping at their Michigan facilities for a period of three years to expire on January 1, 2011 or continue until the next review can be conducted. Document BLR2007-10. **MOTION CARRIED.**

9. **ACCIDENT STATISTICS – ROBERT ABEN**

**No Report**

10. **VIOLATIONS ISSUED – ROBERT ABEN**

The board reviewed the file for Document BLR2008-11.

**Received and Filed.**

11. **LEGISLATIVE UPDATE**

**No Report**

12. **OLD BUSINESS – ROBERT ABEN**

a. Financial Report – **No Report**

b. Chief Inspector's Report – Robert Aben. Document BLR2008-12.

13. **PUBLIC COMMENT**

**No Report**

14. **NEXT MEETING – DECEMBER 9, 2008 CONFERENCE ROOM #3.**

15. **ADJOURNMENT**

The meeting was adjourned at 11:15 a.m.

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Chair

**MICHIGAN BOARD OF BOILER RULES  
DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES  
BUREAU OF CONSTRUCTION CODES**

Conference Room #3  
2501 Woodlake Circle  
Okemos, Michigan 48864

**MINUTES**  
December 11, 2007  
9:30 a.m.

**MEMBERS PRESENT**

Mr. Joseph Day, Chair  
Mr. Roger Jenkins, Secretary  
Mr. Robert Caraway  
Mr. Anthony Jacobs  
Mr. Dennis Rupert  
Mr. Curt Songer  
Mr. Neil Vierson  
Mr. Frank Wiechert

**MEMBERS ABSENT**

Mr. Richard Kirsch, Vice Chair  
Mr. Jeffrey Appel  
Mr. Larry Black

**MI DEPARTMENT OF CONSUMER & INDUSTRY PERSONNEL ATTENDING**

Mr. Robert Aben, Chief, Boiler Division  
Mr. William Vallance, Assistant Chief, Boiler Division  
Ms. Lisa Rambo, Office Supervisor, Boiler Division

**OTHERS IN ATTENDANCE**

1. **CALL TO ORDER AND DETERMINATION OF QUORUM**

The meeting was called to order at approximately 9:30 a.m. by Mr. Day. A quorum was determined present at that time.

2. **APPROVAL OF MINUTES**

A **MOTION** was made by Mr. Vierson, and supported by Mr. Songer to approve the minutes of the September 11, 2007 board meeting. **MOTION CARRIED.**

3. **ANNOUNCEMENTS.**

None reported.

4. **NEW BUSINESS**

None reported.

5. **REVIEW OF CHIEF INSPECTOR'S RECOMMENDATIONS FOR ISSUANCE OF LICENSES FOR REPAIRERS AND INSTALLERS. – ROBERT ABEN**

The board reviewed the December 2007 examinations results. Document BLR2007-25.

A **MOTION** was made by Mr. Jenkins, and supported by Mr. Wiechert to approve issuance of a license for the individuals that passed the December 2007 examination. Document BLR2007-25. **MOTION CARRIED.**

6. **NUCLEAR ACTIVITY REPORTS**

**No Report**

7. **RE-QUALIFICATION OF SECTION 23 – ROBERT ABEN**

NewPage Corp., request for Section 23 Exemption. (Document BLR2007-23)

Recommending a motion to grant a Section 23 Exemption for NewPage Corp. for repairs to non boiler external piping at its 7100 County 426, Escanaba facility for a period of three years to expire on October 11, 2010 or continue until the next review can be conducted.

A **MOTION** was made by Mr. Vierson, and supported by Mr. Wiechert to approve Section 23 Exemption for NewPage Corp. for repairs to non boiler external piping at its 7100 County 426, Escanaba facility for a period of three years to expire on October 11, 2010 or continue until the next review can be conducted. Document BLR2007-23.  
**MOTION CARRIED.**

LaFarge Corp., request for Section 23 Exemption. (Document BLR2007-24)

Recommending a motion to grant a Section 23 Exemption for Lafarge Corp. for repairs to boiler, boiler external piping, and boiler non-external piping at its 1435 Ford Ave., Alpena facility for a period of three years to expire on October 17, 2010 or continue until the next review can be conducted.

A **MOTION** was made by Mr. Wiechert, and supported by Mr. Vierson to approve Section 23 Exemption for Lafarge Corp. for repairs to non boiler external piping at its 1435 Ford Ave., Alpena facility to expire on October 17, 2010 or continue until the next review can be conducted. Document BLR2007-23. **MOTION CARRIED.**

8. **ACCIDENT STATISTICS – ROBERT ABEN**

(Document BLR2007-26).

**Received and Filed.**

9. **VIOLATIONS ISSUED – ROBERT ABEN**

The board reviewed the file for Document BLR2007-27.

**Received and Filed.**

10. **LEGISLATIVE UPDATE**

**No Report**

11. **OLD BUSINESS – ROBERT ABEN**

- a. Financial Report – **No Report**
- b. Chief Inspector's Report – Robert Aben. Document BLR2007-22.
- c. Presentations on NBIC restructure.

12. **PUBLIC COMMENT**

**No Report**

13. **NEXT MEETING – MARCH 12, 2008 CONFERENCE ROOM #3.**

14. **ADJOURNMENT**

A **MOTION** was made at 10:33 a.m. by Mr. Vierson, and supported by Mr. Rupert adjourn the meeting. **MOTION CARRIED.**

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Chair



**(Document BLR2009-03)**

**TO BE HANDED OUT AT MEETING**

**(Document BLR2009-02)**

**TO BE HANDED OUT AT MEETING**



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

Document BLR2008-02

June 6, 2008

To: Members, Board of Boiler Rules

From: Robert J. Aben Jr.  
Chief Boiler Inspector

Subject: LIST OF INSTALLERS & REPAIRERS WHO PASSED THE JUNE 2008 EXAM.

NAME	COMPANY	CITY	ST	CLASS
Josh Bigelow	Great Dane Heating & Air Conditioning	Clinton Township	MI	1B
Daniel J Briggs	Briggs Mechanical Inc	Williamston	MI	1B
Abraham Canfield	Canfield Metal Craft	Buckley	MI	1B
Paul Cederholm	Arcadia	Arcadia	MI	1B
John Devries	Hendricks Heating & Air Conditioning	Wyoming	MI	1B
Gerald J Giese	GPS Heating & Cooling	Marinette	WI	1B
Mark Grant	Ace Heating & Cooling Co	Muskegon	MI	1B
Marc Koskela	Titan Piping	Calumet	MI	1B
Danny Losinski	John B Simpson and Company	Sturgis	MI	1B
Gregory McGregor	GPM Plumbing & Mechanical	Traverse City	MI	1B
Daniel Rings	Rings Heating & Refrigeration	Alpena	MI	1B
Kyle Rogers	Rogers Refrigeration	Richland	MI	1B
Steven Rogers	Rogers Refrigeration	Richland	MI	1B
Brian Smith	Reliable Mechanical Systems Inc	Traverse City	MI	1B
Jack Vandepol	DJ's Heating & Cooling	MCBain	MI	1B
Andrew Johnson	Bruce M Johnson Plumbing	Lapeer	MI	1B
Charles Wismer	Wismer Plumbing & Heating	Onsted	MI	1B
Terry T Boulier	Bouliers	China TWP	MI	2B

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NAME	COMPANY	CITY	ST	CLASS
<b>Continued</b>				
Cameron Freeman	Cameron B Freeman Inc	Westland	MI	2B
Daniel J Gaudet	Platinum Mechanical Inc	Flint	MI	2B
John Lakey	Warren Consolidated Schools	Warren	MI	2B
D3ean Mando	Dennys Heating, Cooling & Refrigeration	Walled Lake	MI	2B
William Vanbuskirk	Western Mechanical	Clinton Township	MI	2B
Aaron Vandenberg	Advantage Mechanical Refrigeration	Comstock Park	MI	2B
Drew Wettlaufer	Marble Mechanical	Beverly Hills	MI	2B
John Hamby	Eastern Mechanical Inc	Sterling Heights	MI	3B
Michael Conley	DJ Conley Associates	Troy	MI	4B
Matthew Hansen	Titan Contracting & Leasing Co	Owensboro	KY	5B
Brook Schroeder	Shambaugh & Sons LP	Fort Wayne	IN	5B
Robert Wojtkowiak		Gaylord	MI	IB
Matthew Hansen	Titan Contracting & Leasing Co	Owensboro	KY	IV
William V Stone	Titan Contracting & Leasing Co Inc	Owensboro	KY	IV

## Exam Statistics

### INSTALLERS

1B	18 PASSED @ 3 FAILED @	79 % 60 %
2B	7 PASSED @ 1 FAILED @	78 % 64 %
3B	1 PASSED @ 2 FAILED @	70 % 58 %
4B	1 PASSED @ 1 FAILED @	70 % 66 %
5B	2 PASSED @ 1 FAILED @	85 % 68 %

### REPAIRERS

II	2 PASSED @ 0 FAILED @	73 % 0 %
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STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

STANLEY "SKIP" PRUSS  
DIRECTOR

(Document BLR2009-06)

March 10, 2009

To: Members, Board of Boiler Rules

From:   
Robert J. Aben Jr.  
Chief Boiler Inspector

Subject: **List of application for registration of Boiler Operators and Stationary Engineers.**

NAME	COMPANY	CITY	COUNTY	CLASS
Alexander W Aaron	Wayne State University	Munising	Alger	1st
Richard Asselmeier	SAPPI	Spring Lake	Ottawa	1st
Tamika Brooks	Wayne State University	Detroit	Wayne	1st
Lorenzo D Brown	Detroit Public Schools	Detroit	Wayne	1st
Robert Clemons	Wayne State University	Detroit	Wayne	1st
John J Covert-Sisurg	Detroit Public Schools	Detroit	Wayne	1st
Marc Cracchiolo	Wayne State University	Warren	Macomb	1st
Richard Delgado	Detroit Board of Education	Southfield	Oakland	1st
Donald Dettmer	St Joseph Mercy Hospital Ann Arbor	Superior Township	Washtenaw	1st
Rodger G Disbrow	Hamtramck Energy Services	Westland	Wayne	1st
Frank G Dumont	Wayne State University	Chesterfield	Macomb	1st
Lawrence Goudy	Servestal	Warren	Macomb	1st
Charles J Gweck	Levin Federal Courthouse	Troy	Oakland	1st
Darryl L Harris	City of Detroit	Detroit	Wayne	1st
James E Horton	Detroit Board of Education	Detroit	Wayne	1 <sup>st</sup>

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<b>NAME</b>	<b>COMPANY</b>	<b>CITY</b>	<b>COUNTY</b>	<b>CLASS</b>
Stephen Johnson	PACS Property Assistance Consultants	Beverly Hills	Oakland	1 <sup>st</sup>
Michael S Lucas	Henry Ford Health System	Allen Park	Wayne	1st
David Lynn	Detroit Public Schools	Oak Park	Wayne	1st
Mihailo Mihailovic	Chrysler LLC	Sterling Heights	Macomb	1st
Sylvester Moore	Covanta Energy	Detroit	Wayne	1st
Robert A Newell	Detroit Public Schools	Detroit	Wayne	1st
Michael D Norman	Chrysler LLC	Detroit	Wayne	1st
Gary Olbrys	DTE Energy St Clair PP	East China	St Clair	1st
Stephen Olszewski	Chrysler LLC	Chesterfield	Macomb	1st
Shan Owens	Metro Energy LLC	Hazel Park	Oakland	1st
Steven Perkins	Detroit Public Schools	Detroit	Wayne	1st
Dana Randall	Chrysler LLC	Waterford	Oakland	1st
George P Schlang	Olympia Entertainment JLA	New Hudson	Oakland	1st
Dianna N Sears-Watkins	Wayne State University	Detroit	Wayne	1st
Carl Smith	Wayne State University	Farmington Hills	Oakland	1st
Victor C Sultana	CB Richard Ellis	White Lake	Oakland	1st
Kevin L Tracey	Detroit Public Schools	Detroit	Wayne	1st
Michael T Tutro	Chrysler LLC	Warren	Macomb	1st
Sheldon Washington	Detroit Public Schools	Detroit	Wayne	1st
Anthony R Williams	Beamont Service Company	Detroit	Wayne	1st
Derrick Williams	Detroit Board of Education	Northville	Wayne	1st
Gerald Woelzlein	General Motors	Vassar	Tuscola	1st
Awilfread E Alford	Detroit Dept of Transportation	Detroit	Wayne	2nd
Allan A Hall	Detroit Board of Education	Livonia	Wayne	2nd
Charles S Kozlowski	Detroit Edison	Clinton Township	Macomb	2nd
John A Leleniewski	Michigan Waste Energy	Westland	Wayne	3rd
Jason D Palmer	Govanta Energy	Macomb	Macomb	3rd
Raymond Sykes Jr.	Oakland University	Detroit	Wayne	3rd
Geraldine Williams	Detroit Board of Education	Northville	Wayne	3rd
Earnest Martin Jr.	Detroit Public Schools	Detroit	Wayne	HPO
Brian J Peitzsch	LB&B Rosa Parks Federal Building	Clinton Township	Macomb	HPO
William R Stanley	Hamtramck Energy Services	Richmond	Macomb	HPO



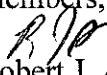
JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

May 16, 2008

(Document LR2008-03)

To: Members, Board of Boiler Rules  
From:   
Robert J. Aben Jr.  
Subject: Consumer Energy Co. Section 23 Renewal

A review was conducted on January 1, 2008 for the purpose of determining the Consumer Energy Co compliance with P.A. 290 in the conduct of repairs to their boilers and piping its facilities in Michigan. Assistant Chief Inspector William Vallance conducted the review in the presence of Mr. Mark Babcock Principal Engineer. The review was conducted in accordance with the attached Qualification Review Report.

Recommendation:

I am recommending a motion by the Board of Boiler Rules that the Section 23 exemption program for repairs to boilers and piping be granted to the Consumers Energy Co Michigan Facilities for a period of three years to expire on January 1, 2011 or continue until the next review can be conducted.

Any violation of the boiler law and rules during this period shall be cause for suspension of this exemption by the Chief Inspector. Re-instatement of the exemption may only be granted by the Board of Boiler Rules.

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P.O. BOX 30254 • LANSING, MICHIGAN 48909  
Telephone (517) 241-9334 • Fax (517) 241-6301  
[www.michigan.gov](http://www.michigan.gov)



MICHIGAN BOARD OF BOILER RULES

P.O. Box 30254  
Lansing, MI 48909  
(517) 241-9334

UTILITY/INDUSTRIAL PLANT REPAIR/INSTALLATION  
QUALIFICATION REVIEW REPORT  
(Re: Boiler Act Of 1965, Sec. 23)

Date Review Conducted

1-9-08

Application type:

New

Renewal X

1. Organization's Name and Business Address.

CONSUMERS Energy COMPANY  
Name

17000 CROSWELL STREET WEST OLIVE MI  
Street, City, State, Zip

UTILITY  
Principal Business

2. Identification of person responsible for compliance with state boiler law and rules.

Name Mark Babcock

Title PRINCIPAL Engineer

Mailing Address

17000 CROSWELL STREET  
Street  
WEST OLIVE MI 49460  
City

State (616) 738 3375  
Phone Number

Zip

3. Authorized Inspection

Agency. FM Global Mutterspangh

4. ASME Symbol Stamp(s) Held: (Symbol, Number, Expiration Date)

\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_; \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_;

5. National Board Symbol Stamp(s): (Symbol, Number, Exp. Date)

R, \_\_\_\_\_, Exp 4-11-2011

6. Are the boilers and piping owned and operated by the applicant. Yes X No \_\_\_\_\_

7. Type of code items to be repaired/installed.

Section I: Boilers X Boiler external piping X

Section IV: Boilers \_\_\_\_\_ Boiler non-external piping X

Safety Valves: Sec. I X Section. IV \_\_\_\_\_

Section. VIII \_\_\_\_\_

8. Where are repairs done?

Shop \_\_\_\_\_ Field \_\_\_\_\_ Shop and Field X

9. Does the organization have the latest edition of the applicable Codes and Addenda and Boiler Law and Rules.

Section I X Section IV \_\_\_\_\_ Section. VIII \_\_\_\_\_

Section IX X B31.1 X NBIC X

Michigan Boiler Law and Rules X

10. Does the organization have a Quality Assurance Manual or Procedures for the work anticipated? Yes X No \_\_\_\_\_

11. Does the organization have and maintain a maintenance record for each exempt boiler? Yes X No \_\_\_\_\_ Applicant has committed to prepare and submit a logbook for Boiler Divisions comment \_\_\_\_\_

12. How is Heat Treatment capability provided?

In-house X Procedures Available \_\_\_\_\_ Sub-contracted X

13. How is Non-destructive examination capability provided?

In-house X Procedures Available X Sub-  
contracted \_\_\_\_\_

14. Does the QA Manual or Procedures provide for pressure tests?

Yes X Procedures Available \_\_\_\_\_ No \_\_\_\_\_

15. What welding processes are used?

SMAW X SAW \_\_\_\_\_ GMAW X GTAW X

16. Are appropriate welding procedures available and qualified to ASME Code Section IX?

Yes X No \_\_\_\_\_

17. Is evidence available that welders are qualified to procedures?

YES X No \_\_\_\_\_

17a. Is a Continuity Log maintained? Yes X No \_\_\_\_\_

18. Are welders regular employees? Yes X No \_\_\_\_\_

19. Does the organization have procedures to control the procurement and handling of code materials?

Yes X No \_\_\_\_\_

20. Should this organization be granted a Section 23 exemption?

Yes X No \_\_\_\_\_

Will Vallance  
Inspector Signature

1-9-08  
Date

JPB  
Chief Inspector

5-16-08  
Date

\_\_\_\_\_  
Chair., Boiler Board

\_\_\_\_\_  
Date

Rev 4 4/29/2003




JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

May 16, 2008

(Document BLR2008-04)

To: Members, Board of Boiler Rules  
From:   
Robert J. Aben Jr.  
Subject: Dow Chemical Co. Michigan Operations Section 23 Renewal

A review was conducted on January 10, 2008 for the purpose of determining the Dow Chemical Co compliance with P.A. 290 in the conduct of repairs to their boilers and piping located at their Midland, Michigan facility. Deputy Inspector Jerry Keson conducted the review in the presence of Mr. Charles Hyatt, Quality Assurance Manager for Dow Chemical. The review was conducted in accordance with the attached Qualification Review Report.

Recommendation:

I am recommending a motion by the Board of Boiler Rules that the Section 23 exemption program for repairs to boilers and piping be granted to the Dow Chemical Co at their Midland Michigan Facility for a period of three years to expire on January 1, 2011 or continue until the next review can be conducted.

Any violation of the boiler law and rules during this period shall be cause for suspension of this exemption by the Chief Inspector. Re-instatement of the exemption may only be granted by the Board of Boiler Rules.

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MICHIGAN BOARD OF BOILER RULES

P.O. Box 30254  
Lansing, MI 48909  
(517) 241-9334

UTILITY/INDUSTRIAL PLANT REPAIR/INSTALLATION  
QUALIFICATION REVIEW REPORT  
(Re: Boiler Act Of 1965, Sec. 23)

Date Review Conducted: 1-10-08

Application type: NEW \_\_\_\_\_ RENEWAL X

1. Organization's Name and Business Address.

The Dow Chemical Company Michigan operation  
Name

BUILDING 593 MIDLAND, Michigan 48667  
Street, City, State, Zip

Chemical Company  
Principal Business

2. Identification of person responsible for compliance with  
State boiler law and rules.

Name Charles Hyatt Title QAM

Mailing Address BUILDING 593

MIDLAND Michigan 48667  
City State Zip

(989) 636-0991, 636-5730  
Phone Number E-mail chhyatt@dow.com

3. Authorized Inspection Agency HSBCT Insurance Company HSBCT

4. ASME Symbol Stamp(s) Held: (Symbol, Number, and Expiration Date)

5. National Board Symbol Stamp(s): (Symbol, Number, and Expiration Date)

R 3198 02-21-2008

6. Are the boilers and piping owned and operated by the applicant.

Yes X No \_\_\_\_\_

7. Type of code items to be repaired/installed.

Section I Boilers.

YES

Section IV Boilers.

N/A

Boiler external piping.

YES

Non Boiler external piping.

YES

Safety Valves:

Section I N/A Section IV N/A Section VIII N/A

8. Where are repairs done?

Shop \_\_\_\_\_ Field \_\_\_\_\_ Shop and Field X

9. Does the organization have the latest edition of the applicable Codes and Addenda and Boiler Law and Rules? Both HARD COPY CODE BOOKS AND Electronic

Section. I YES Section. IV \_\_\_\_\_ Section. VIII YES Section IX YES

B31.1 YES Michigan Boiler Law and Rules YES NBIC YES Other see B31.3

10. Does the organization have a Quality Assurance Manual or Procedures for the work anticipated?

Yes X No \_\_\_\_\_

1. Does the organization have and maintain a maintenance record for each exempt boiler?

Yes X No \_\_\_\_\_

Applicant has committed to prepare and submit a logbook for Boiler Divisions comment: Log Book on File: since its conception.

12. How is Heat Treatment capability provided?

In-house \_\_\_\_\_ Procedures Available \_\_\_\_\_ Sub-contracted X

13. How is Non-destructive examination capability provided?

In-house \_\_\_\_\_ Procedures Available \_\_\_\_\_ Sub-contracted X

14. Does the QA Manual or Procedures provide for pressure tests?

Yes X Procedures Available Y r S No \_\_\_\_\_

15. What welding processes are used?

SMAW X SAW \_\_\_\_\_ GMAW X GTAW X FCAW \_\_\_\_\_

16. Are appropriate welding procedures available and qualified to ASME Code Section IX?

Yes X No \_\_\_\_\_

17. Is evidence available that welders are qualified to procedures?

Yes X No \_\_\_\_\_

17a. Is a Continuity Log maintained? Yes X No \_\_\_\_\_

18. Are welders regular employees? Yes X No \_\_\_\_\_

19. Does the organization have procedures to control the procurement and handling of code materials?

Yes X No \_\_\_\_\_

20. Should this organization be granted a Section 23 exemption?

Yes X No \_\_\_\_\_

[Signature]  
Inspector Signature

1-10-08  
Date

[Signature]  
Chief Inspector

5-16-08  
Date

\_\_\_\_\_  
Chair., Boiler Board

\_\_\_\_\_  
Date



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

BOILER DIVISION  
ATTENDANCE SHEET

Review ☒ Audit ☐ Other ☐

Company: The Dow Chemical Company - Michigan operation  
Address: Building 593  
MIDLAND, MICHIGAN 48667  
Date: 1-10-08

Print Name	Print Title	Signature	Organization
Jerry Keson	Team Leader		STATE OF MICHIGAN
LOUIS R Dykstra	Inspector & SUPERVISOR		HSBCT
Rene Cochran	O.P.		Kelly Sr.
CHARLES HYATT	QAM		Dow
John B Heard	PCE Engineer		Dow
ADAM BALDWIN	AUTHORIZED INSPECTOR		HSBCT
Kelly Warner	PCE Engineer		Dow

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# SENATE BILL No. 96

January 28, 2009, Introduced by Senator BIRKHOLZ and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1965 PA 290, entitled  
"Boiler act of 1965,"  
by amending section 13c (MCL 408.763c), as added by 2008 PA 159.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 13c. (1) Not later than 180 days after ~~the effective date~~  
2       ~~of the amendatory act that added this section~~ JUNE 11, 2008, the  
3       ~~board~~ DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH shall  
4       promulgate rules designating the course content for qualified  
5       technical education programs for the various categories and classes  
6       of registration of boiler operators and stationary engineers.

7       (2) The rules described in subsection (1) shall provide that  
8       the course content of qualified technical education programs for  
9       entry level registrants include at least all of the following

1 subject matter areas:

2 (a) Basic functions, construction, and operation of all types  
3 of boilers.

4 (b) The function of boiler appliances, accessories, and  
5 associated auxiliaries.

6 (c) Materials used in boilers and the effect of temperature  
7 extremes on those materials.

8 (d) The fuels used in boilers and fundamentals of combustion.

9 (e) Basic electricity.

10 (f) Plant operation and boiler maintenance.

11 (g) Instrumentation and controls.

12 (h) Fundamental mathematics and principles of the metric  
13 system.

14 (i) General safety procedures.

15 (j) Recognition of dangerous operation conditions.

16 (3) The ~~board~~ **DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH**  
17 shall provide that the course content for categories and classes  
18 other than entry level registrants includes subject matter similar  
19 to those described in subsection (2) in the degree of depth and  
20 difficulty appropriate for the category and class.

The logo for Consumers Energy, featuring the company name in a bold, sans-serif font, with a stylized graphic element above it.

January 29, 2009

J.H. Campbell Complex

17000 Croswell St., West Olive, Michigan 49480

Robert J Aben, Jr.  
Chief  
Boiler Division  
Department of Consumer & Industry Services  
Bureau of Construction Codes  
P O Box 30254  
Lansing, MI 48909

(Document BLR2009-01)

Dir Sir:

**Subject: J H Campbell Unit 3 (M-329970-M) 24 Month Internal Inspection Interval**

Consumers Energy would like to move a scheduled periodic outage for the J H Campbell 3 unit due to conflicts with other generating unit outages on our Campbell site occurring this spring. The Campbell Unit 3 boiler internal inspection will be due on March 27, 2009. At this time the Campbell Unit 2 boiler will be in an outage (88 days estimated duration).

**Consumers Energy is requesting a 2-month extension of the time interval between internal boiler inspections for this unit to accommodate system demand and stability, economic conditions and staffing availability. We would like to complete the next Unit 3 boiler internal inspection after Unit 2 returns to service.**

We believe that the unit could operate through March 27, 2009 without a forced outage based on recent operating performance. This unit has been on-line for 192 days which is the 2<sup>nd</sup> best operating period since the start of commercial operation in 1980. Significant boiler maintenance component replacements and repairs were completed during 2006 and 2007 on this unit when it was modified to burn 100% western fuel. The changes included installation of a new platen superheater, a new reheater, a new upper and lower economizer, and a new primary superheater. We also tested and set all of the boiler safety valves.

To remove the unit from service on or before March 27, 2009 for a required internal inspection and again two months later to complete needed maintenance activities would expose the boiler, turbine and auxiliaries to an additional thermal cycle.

We have reviewed the unit's condition, and circumstances surrounding the scheduling of an outage with Dave Evans of FM Global. He has no objection to a 2-month extension for this unit and supports this request.

We will be performing the following prior to the scheduled outage, and internal inspection if the variance is granted.

1. Perform an external inspection to maintain a current certificate.
2. Perform an internal inspection if the unit is forced from service as long as power demands and electric loads allow.

I am requesting an opportunity to present our request to the Boiler Board during their March 17, 2009 meeting. Please contact me at 616-836-9911 to confirm this request, and a time slot on their agenda.

Further details related to this request will be provided to the Board prior to your meeting. Please let me know the due date for submitting supporting information.

Thank you for your prompt attention to this matter.

Sincerely,



John M. Orlikowski  
EBR Manager  
J H Campbell Site  
[jmorlikowski@cmsenergy.com](mailto:jmorlikowski@cmsenergy.com)  
Phone 616-738-3437  
Cell 616-836-9911

CC: Guy C. Packard, J H Campbell  
Frank S. Schaner, J H Campbell  
Dave E. Thornock, J H Campbell  
David E. Evans, FM Global  
Mark C. Babcock, J H Campbell



January 30, 2009

FM Global  
39555 Orchard Hill Place, Suite 400  
Novi, MI 48375 USA  
T: (248) 344-0340 F: (248) 344-0174 www.fmglobal.com

Mr. Robert J. Aben Jr.  
Chief  
Boiler Division  
Department of Consumers & Industry Services  
Bureau of Construction Codes, Boiler Division  
P.O. Box 30254  
Lansing, MI 48909

Re: Extension of 24 Month Internal Inspection Interval Campbell Unit 3  
Consumers Energy Corporation  
J.H. Campbell Steam Plant – Unit 3  
1700 Croswell Street  
West Olive, MI 49460  
Index 058613.45-04  
Account 01-04540

Mr. Aben:

As the Authorized Inspection Agency for Consumers Energy we recently evaluated Unit 3 (R329970) at Campbell power generating station for potential extension of the 24 month internal inspection frequency. The owner/user will be in the middle of inspection activities on Campbell Unit 2 at that time the certificate comes due in the middle of March 2009.

You may be aware the owner/user performed an extensive 6 month upgrade of this boiler between 2006 and 2007. As a result 2008 was a banner year for power production on Unit 3. They currently have run since May 2008 with no outages. We reviewed documentation for water treatment and superheater temperature excursions and find those to be minimal and of short durations, no longer than a few minutes. This particular facility has demonstrated expertise in power generation and upgraded this boiler with the latest technology. They do take obligations of compliance to State Regulatory Laws seriously hence our involvement in this process.

As the Insuring party of this boiler we have no objections to a 2 month extension of the 24 month internal inspection interval for Campbell Unit 3. We ask that the Boiler Board consider granting Consumers Energy's request for extension.

Regards,

David E. Evans  
Loss Prevention Specialist  
FM Global

RECEIVED

FEB - 5 2009

Boiler Division

*Factory Mutual Insurance Company (FM Global) has developed this report for insurance underwriting purposes. The report is provided to you for informational purposes only to reduce the possibility of loss to property by bringing to your attention certain potential hazards or conditions. You must make the decision whether to take any action. FM Global undertakes no duty to any party by providing this report or performing the activities on which it is based. The liability of FM Global is limited to that contained in its insurance policies.*

BOILER CERTIFICATION MEETING  
J H CAMPBELL UNIT 3  
April 18, 2007

A boiler internal inspection was performed on March 27, 2007 during a 179 day scheduled outage. The purpose of the outage was to modify the unit to burn 100% PRB coal. The previous boiler review meeting was held April 28, 2005.

**Operator Training Program**

The Operators at JHCampbell Unit 3 are all certified. Operators have completed an approved training program that assures the minimum level of knowledge required to perform their job safely and efficiently. There is on going training that covers safety training and system changes. There are Operating Parameter Guides at each piece of equipment and Operators have a round sheet to ensure they make a thorough round. We have a SOTS program in place to help reduce tagging errors. The procedures, prints, SOTS, and training classes are continuously being updated and improved. Certification is audited every two years, the last audit being conducted October 2005. The results of the last audit were no findings.

**Boiler Maintenance**

Boiler maintenance is tracked using AMMS.

The following boiler work was completed by Alstom, except as noted, since the last boiler review meeting.

1. Replace both rear corner waterwall tubes at backpass junction – previous repair.
2. Replace burned out membrane between waterwall tubes at several locations.
3. Replace failed superheater tube slip spacers.
4. Replace upper slope/ slag screen waterwall tube
5. Replace remaining furnace window welds – 5 locations.
6. Replace cracked sidewall filler bars at lower slope seals.
7. Replace lower slope tubes on rear wall.
8. Replace left and right sidewall tubes
9. Replace lower slope tubes 1 – 4 in all four corners.
10. 2 SH terminal, 2 SH DMW's, and 2 SH pendent tube samples.
11. Drum repairs and seal replacement.
12. Rebuild 64 boiler and observation doors.
13. Repair wind box floor cracks.
14. Furnace wall and upper arch thickness checks
15. Misc burner repairs
16. UT scan of finishing SH outlet header
17. Inspect spray nozzles and liners of both cold reheat desuperheaters
18. Inspect steam drum downcomer distribution headers.
19. Inspect ID of lower waterwall headers.
20. Inspect the second bends off of the steam drum to the front waterwalls.
21. VT and MT top of steam drum connections to roof tubes.
22. Finishing SH outlet, Perform digital RT at Crown seal.
23. Ash Pit Repairs – Northern Boiler.
24. Repair north waterwall inlet cracked welds – Northern Boiler

**Boiler Leaks and mechanisms since the last boiler review meeting**

Location	Date	Failure Mechanism	Disposition	Repairs by Sec. 23 or Contractor
1. Front waterwall slope tube	7/12/05	Thermal Shock from air curtain slots	Replaced 2 sidewall tubes and 1 slope tube	Section 23
2. Reheater 1 <sup>st</sup> deck	7/20/05	Pin hole in weld repair	Ground out and pad weld	Section 23
3. Left sidewall Tube	12/7/05	Crack next to pad weld	Replace 2 tubes	Section 23
4. Primary SH 1 <sup>st</sup> Deck & Upper Economizer	4/7/06	Cracked Lug Weld	Installed tube plugs in 6 primary SH tubes & tube plugs in 2 upper economizer tubes	Section 23
5. Left Sidewall tube.	4/9/06	Thermal Shock from Water Cannons	Replace tube	Section 23
6. Left Sidewall tube	9/25/06	Thermal Shock from Water Cannons	Replace tube	Contractor
7. Front Lower Slope tube	10/8/06	Pin hole leak due to Slag drop	Replace tube	Contractor

Department of Labor Record of Weld Repair forms are available for signature.

The Northern Boiler repair documentation is available for review.

The Alstom Boiler modification and repair documentation is available for review.

**Water Chemistry- Operating Parameters**

Water chemistry guidelines are established in the Fossil Department Chemical Procedures Manual. All recommended water instrumentation is installed and operational. System Descriptions, System Operating Procedures, Alarm Response Procedures, Instrumentation Calibration, and Maintenance Procedures have been developed and implemented...

Core parameters in spec (year end 2005) – 98.1 %,	YTD – 96.2 %
Instrument availability (year end 2005) – 99.7 %,	YTD - 100 %

Core parameters in spec (year end 2006) – 97.5 %,	YTD – 96.2 %
Instrument availability (year end 2006) – 99.0 %,	YTD – 100 %

Chemistry lab personnel and Operators monitor the water chemistry instrumentation continuously. Weekly samples are used to check the instrumentation and the results are logged.

### **Water Chemistry- Operating Parameters (continued)**

The chemistry guidelines are also a part of the Operator Emergency Alarm Response Procedures and are studied during their certification.

Per Operating Procedures, Chemistry Techs monitor unit start-ups.

### **Boiler Operating Parameters**

The boiler has been operated during the last year within the design envelope of:

Main Steam Temperatures – 1005 °F

Hot Reheat Steam Temperatures – 1005 °F

Feed Water Flow – 6,000,000 lb/hr

Division wall, Finishing Superheater, and Reheater tube temperatures, Main Steam and Hot Reheat Steam temperatures are monitored on a monthly basis.

### **Boiler Alterations**

Feed water flow will increase from 6,000,000 lb/hr to 6,156,000 lb/hr

Capacity of Drum and SH safety valves will increase from 6,151,458 lb/hr to 6,930,884 lb/hr.

Capacity of Hot & Cold RH safety valves will increase from 5,213,811 lb/hr to 5,373,611 lb/hr.

### **Chemistry Cleaning Schedule**

The unit was last cleaned in 2004. The next chemical clean is scheduled for 2009.

Four (4) tube samples were removed from the front and rear walls during the October 2006 outage.

Results of tube sample internal deposit quantity:

06 -	Front #1- hot side - 10.3 mg/cm <sup>2</sup> , cold side - 8.97 mg/cm <sup>2</sup>
	Front #2- hot side - 12.3 mg/cm <sup>2</sup> , cold side - 12.5 mg/cm <sup>2</sup>
	Rear #1- hot side - 11.4 mg/cm <sup>2</sup> , cold side - 10.1 mg/cm <sup>2</sup>
	Rear #2- hot side - 9.4 mg/cm <sup>2</sup> , cold side - 7.7 mg/cm <sup>2</sup>

### **Protective Devices**

During the 2006/ 2007 outage the following plant devices were calibrated or checked for proper operation:

1. Turbine water induction protection (TWIP's) testing was completed.
2. High Drum level turbine trip was verified
3. Low drum level boiler trip was verified.
4. Loss of FD Fans.
5. Loss of ID Fans.
6. Loss of Air Flow.
7. Low Furnace Pressure (-5").



### **Protective Devices (continued)**

8. High Furnace Pressure (+5").
9. High High Furnace Pressure (+15").
10. Loss of Primary Air Fans "And" Any Feeder Running.
11. Loss of Primary Air Duct Pressure "And" Any Feeder Running.
12. Loss of Fuel.
13. Loss of Flame.
14. Loss of Main Flame.
15. Loss of Communication.
16. Turbine Trip with Unit OnLine.
17. Emergency trip Pushbutton.
18. All boiler safety valves will be tested/ set when the unit is returned to service.
19. Main turbine overspeed will be completed when the unit is returned to service.
20. "A" Boiler feed pump turbine overspeed was completed April 16, 2007:
  - Mech. (5905 RPM) (spec. 6066 to 6188)
  - Elec. (5849 RPM) (spec. 5821 to 5876)
21. "B" Boiler feed pump turbine overspeed was completed April 15, 2007:
  - Mech. (6185 RPM) (spec. 6066 to 6188)
  - Elec. (5830 RPM) (spec. 5821 to 5876)

### **HEPS/FAC and DA & DA Storage Tank**

The plant has an active HEPS/ FAC/ DA & DA Storage Tank maintenance program. During the 2006/ 2007 outage, five (5) main steam and ten (10) cold reheat locations were inspected with no findings. Seventy Seven (77) locations were inspected for FAC with no findings.

Two (2) indications were found in the DA Tank and Repaired. Crack at the steam pipe inlet weld to shell and crack at the tray enclosure to shell.

### **Balance of Plant Components**

Replace Main to Aux Steam Desuperheating.  
Replace UPS Regulating Transformer.  
Overhaul A Condensate Pump and Motor.  
Generator/ Transformer/ Isophase Bus Duct Inspections.  
Turbine Generator Shaft Voltage Monitoring.  
New Static Exciter and Generator Cooling.  
Replace Federal Pacific 480 V Feeder Breakers.  
Critical Valve Maintenance.  
FD Fan Hub Overhauls.  
Replace Bailey drives.  
Replace Substation Microwave Communications  
DCS Upgrades.  
Precipitator Repairs and Expansion Joint Replacements.  
Chimney Inspection and Repairs.  
Deepwater Pipe Inspection.  
FD Fan Motor Overhauls.  
Turbine EHC Upgrade – Install new Pumps.  
Turbine Valve Inspection and Repairs  
LI and L2 LP Rotor Repairs.

### **Balance of Plant Components (continued)**

Repairs to IP Turbine Diaphragms.  
Inspect HP Rotor.  
Install New Instrument Air Dryers.  
Overhaul 3A and 3B BFPT's  
Washed both Secondary Air Heaters.  
Replace 125V and 250V Batteries.

### **Hydrostatic Testing**

Current plans call for both superheater and reheat hydros during the 2014 Outage.

### **Future Plans**

2007 Fall SCR layup outage  
2008 Spring Maintenance outage and fall SCR layup outage.  
2009 Spring Maintenance outage and fall SCR layup outage

### **Boiler Numbers**

Mich. Boiler No. M329970  
NB # 6829

**CORRECTED FROM THE JANUARY 28, 2009 PROPOSED RULES PUBLISHED IN  
THE FEBRUARY 15, 2008 MICHIGAN REGISTER**

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

MICHIGAN BOILER RULES

Filed with the Secretary of State on  
These rules take effect 60 days after filing with Secretary of State

(By authority conferred on the director of the department of energy, labor & economic growth by section 4 of 1965 PA 290, executive reorganization order nos. 1996-2, 2003-1 and 2008-20, MCL 408.754, MCL 445.2001, MCL 445.2011 and MCL 445.2025)

R 408.4012, R 408.4024, R 408.4025, R 408.4026, R 408.4027, R 408.4031, R 408.4032, R 408.4033, R 408.4038, R 408.4047, R 408.4057, R 408.4058, R 408.4087, R 408.4109, R 408.4114, R 408.4121, R 408.4127, R 408.4171, R 408.4193, R 408.4195, R 408.4197, R 408.4507, and R 408.4701 of the Michigan Administrative Code are amended to the Code and R 408.4186 of the Code is rescinded as follows:

**PART 1. GENERAL PROVISIONS**

R 408.4012 Definitions.

Rule 12. (1) "Accident" means a sudden and accidental breakdown of a boiler or a part of a boiler that results in physical damage to the boiler which necessitates the repair or replacement of the boiler or a part of the boiler. "Accident" does not mean a breakdown due to any of the following unless a unique or unusual explosion hazard exists as a result of the breakdown:

- (a) Normal erosion.
- (b) Corrosion.
- (c) Wastage of metal that requires restoration.
- (d) Leaking tubes.
- (e) Weakened metal, such as water legs or handhole areas.

(2) "Act" means 1965 PA 290, MCL 408.751 et seq.

(3) "Aftercooler" means a device used for lowering the temperature of a boiler blowoff discharge before it enters the building drain.

(4) "Alteration" means any change in the item described on the original manufacturer's data report that affects the pressure-containing capability of the boiler or its piping. A nonphysical change such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or its piping is an alteration.

(5) "ASME," "ASME boiler and pressure vessel code," "ASME code," or "code" means the boiler and pressure vessel code of the American Society of Mechanical Engineers, with addenda, as prescribed and approved by the council of the society.

February 26, 2009

(6) "Authorized inspector" means an individual who is designated as an authorized inspector by an authorized inspection agency, who holds a valid certificate of competency and national board commission with an "A" or "B" endorsement, and who is employed by the authorized inspection agency that assumes responsibility for the individual's actions.

(7) "Board of boiler rules" or "board" means the board created by the act.

(8) "Boiler assembler" means a corporation, company, partnership, or individual who assembles a boiler that has been delivered in pieces. For ASME code section I power boiler assemblies, a boiler assembler shall possess the appropriate code symbol stamps.

(9) "Boiler blowoff piping" means the piping, fittings, and valves from the boiler to the blowoff tank, blowoff separator, or other safe point of discharge through which the water in the boiler may be blown out under pressure, except for drains such as those used in water columns, gauge glasses, or piping to feed water regulators and similar devices.

(10) "Boiler blowdown vessel" means an unfired pressure vessel into which water is discharged above atmospheric pressure from a boiler blowoff line.

(11) "Boiler installation" means the installation of a boiler, including all connected piping, valves, fittings, flanges, firing equipment, controls, appurtenances, and auxiliaries. The term includes the field assembly of boilers.

(12) "CSD-1" means the ASME code for controls and safety devices for automatically fired boilers.

(13) "Certificate of competency" means a certificate issued to a person who has passed an examination for inspectors prescribed by the board of boiler rules.

(14) "Chief inspector" means the chief boiler inspector appointed under the act.

(15) "Condemned boiler" means a boiler that has been inspected and declared unsafe or rejected for use by an inspector who is qualified to take such action and who has applied a stamping or marking designating its rejection.

(16) "Department" means the department of **energy**, labor and economic growth.

(17) "Deputy inspector" means an inspector who is licensed under the act and appointed by the director.

(18) "Existing installation" means and includes any steam boiler constructed, installed, placed in operation, or contracted for before August 10, 1917, or any hot water heating or supply boiler constructed, installed, placed in operation, or contracted for before the effective date of these rules.

(19) "External inspection" means an inspection which is conducted while the boiler is under pressure and which does not involve examination of the internal surfaces of the pressure parts of the boiler.

(20) "Field assembly" means assembling prefabricated boiler pressure parts without field welding or riveting.

(21) "Field erection" means the erecting and assembling of boiler parts by welding, riveting, or other fabrication processes.

(22) "Flash tank" means a closed vessel equipped with internal baffles or an apparatus for the purpose of separating moisture from flash steam as it passes through the vessel.

(23) "Hobby" means an interest or activity that a person pursues in his or her leisure time without compensation.

(24) "Hot water heating and hot water supply boiler" means a boiler that operates at pressures of not more than 160 psi or temperatures of not more than 250 degrees Fahrenheit, at or near the boiler outlet.

(25) "Inspector" means an individual who holds a valid certificate of competency and national board commission.

(26) "Internal inspection" means an inspection made when a boiler is shut down and handholes or manholes are opened for inspection of the interior.

(297) "Labeled" means devices, equipment, appliances, or material to which have been affixed a label, seal, symbol, or other identifying mark of a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of the production of the items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

(278) "Licensed boiler installer" means a person licensed under the act to engage in the business of making piping connections to a boiler or in the business of field-assembling boilers.

(289) "Licensed boiler repairer" means a person licensed under the act to engage in making or supervising all phases of boiler repair, alteration, or field erection.

(320) "Listed" means equipment, appliances, or material included in a list published by a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of production of listed equipment, appliances, or materials, and whose listing states either that the equipment, appliances, or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner. The authority having jurisdiction shall utilize the system employed by the listing organization to identify a listed product.

**(301) "Mechanical assembly" means the work necessary to establish or restore a pressure retaining boundary whereby pressure retaining capability is established through a mechanical, chemical, or physical interface.**

**(342) "Mechanical repair" means a method of repair which restores a pressure retaining boundary to a safe and satisfactory operating condition, where the pressure retaining boundary is established by a method other than welding or brazing.**

~~(30) "Michigan special" means a boiler that is not built in compliance with the code, or A boiler is a noncode boiler if it is not stamped with the ASME code symbol stamp.~~

(343) "Miniature boiler" means a power boiler that does not have any of the following:

- (a) An inside diameter of the shell of more than 16 inches.
- (b) A working pressure of more than 100 psig.
- (c) A gross volume of more than 5 cubic feet.
- (d) More than 20 square feet of heating surface.

(334) "Miniature locomotive boiler" means a miniature hobby steam locomotive boiler which operates on a narrow gauge track that is less than 24 inches wide and which is for public display or use.

**(35) "Modular boiler" means a steam or hot-water heating assembly consisting of a grouping of individual boilers called modules, intended to be installed as a unit, with a single inlet and a single outlet. Modules may be under 1 jacket or may be individually jacketed.**

(3-4-6) "NBIC" means national board inspection code.

(357) "New boiler" means a boiler constructed, installed, placed in operation, or contracted for after July 1, 1966.

(368) "Nonstandard boiler" means a boiler that does not bear the national board stamping or the stamp of any state or political subdivision which has adopted a standard of construction equivalent to that required by the board of boiler rules.

(39) "Owner or user" means a person, firm, partnership, or corporation that owns or operates a boiler within this state.

**(40) "Out-of-use boiler" means a boiler not ready for use having the fuel supply, electricity, and all piping that may pressurize the boiler disconnected.**

(3841) "Portable boiler" means a boiler which is primarily intended for temporary location and which is, by its construction and usage, obviously portable.

**(42) "Pressure-retaining items" means any boiler, pressure vessel, piping, or material used for the containment of pressure, either internal or external. The pressure may be obtained from an external source, or by the application of heat from a direct source, or any combination thereof.**

(3943) "Reinstalled boiler" means a boiler which is removed from its original setting and which is reinstalled at the same location or reinstalled at a new location.

(404) "Rental boiler" means a boiler which is in temporary use for not more than 1 year and which may or may not be installed inside a boiler room, temporary room, or temporary shed or without external covering.

(415) "Repair" means the work necessary to restore a boiler or its piping to a safe and satisfactory operating condition.

(426) "Safe point of discharge" means a point of discharge that will protect personnel and property from injury due to discharge.

(437) "Special inspector" means a boiler inspector who holds a license in the state of Michigan pursuant to 1965 PA 290, MCL 408.751 et seq. and who is regularly employed by an insurance company authorized to insure against a loss from boiler accidents in this state or by any city that is exempt under the act and has an authorized boiler inspection department.

(4-4-8) "Standard boiler" means a boiler that bears the stamp of the national board of boiler and pressure vessel inspectors or of another state or political subdivision which has adopted a standard of construction equivalent to that required by the board of boiler rules of this state.

(4549) "Traction boiler" means a boiler designed for the express purpose of pulling farm equipment or to convert steam power into flywheel energy driving farm apparatus such as threshers, saws, or grinding equipment.

(-4650) "Used boiler" means a boiler that is being reinstalled by the same owner.

(4751) "Water heater" means a heater for use in commercial or industrial sizes providing corrosion resistance for supplying potable hot water at pressures not exceeding 160 psi or temperatures not exceeding 210 degrees Fahrenheit. A water heater that does not exceed any of the following is exempt from these rules:

- (a) A heat input of more than 200,000 BTU per hour.
- (b) A water temperature of more than 210 degrees Fahrenheit.
- (c) A nominal water-containing capacity of more than 120 gallons.

R 408.4024 Adoption of ~~national board inspection code (NBIC)~~ by reference.

Rule 24. (1) The owner shall ensure the inspection, repair, and alteration of boilers, piping, and blowdown vessels is in accordance with the ~~national board inspection code~~ **NBIC, 20042007** edition ~~and 2005 addenda~~ except as modified by these rules. The code ~~and 2005 addenda~~ **are** adopted by reference in these rules and are available for inspection at the Michigan Department of **Energy**, Labor & Economic Growth, Bureau of Construction Codes and Fire Safety, 6546 Mercantile Way, Lansing, Michigan 48911 or from the National Board of Boiler and Pressure

Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229, at a cost as of the time of adoption of these amendatory rules for a total of ~~\$150.00~~**189.50**.

(2) The accreditation program described in the NBIC for repairs and alterations to pressure retaining items is mandatory for repairs to all power boilers and high pressure high temperature water boilers and alterations to any boiler not exempt by these rules. Repair companies in possession of a certificate of authorization issued by the national board of boiler and pressure vessel inspectors to repair and alter pressure retaining items shall have in their employ an individual with an appropriate class repairer license issued by the boiler division of the department. Repair companies not currently in possession of the certificate of authorization or a certificate of authorization issued by ASME shall have 1 year from the date of adoption of this rule to secure the certificate. Companies currently in possession of a valid certificate issued by ASME have until the next certificate review or 1 year, whichever is greater, to secure the certificate of authorization identified above. The board may waive the time requirement if appropriate justification is presented.

(3) Where the text of the NBIC refers to the "certificate holder," the reference shall apply to all licensed boiler repairers, except when the reference is in relation to completion of NBIC forms and NBIC stamping, the reference shall refer to repair companies in possession of a valid certificate of authorization issued by the national board of boiler and pressure vessel inspectors to repair and alter pressure retaining items.

(4) The standard welding procedures referenced in the NBIC are accepted for use in this state, but are not mandatory. A licensed boiler repairer who elects to use 1 or more of the standard welding procedures shall file a list of the standard welding procedure identification numbers with the boiler division of the department before conducting any repairs or alterations requiring welding.

R 408.4025 ASME code; adoption by reference.

Rule 25. (1) A boiler, **blow down vessel, and expansion tank** shall be constructed as prescribed by these rules and the ASME boiler and pressure vessel code, 2004 edition, and its 2005 addenda. ~~S~~sections I, II, III, IV, V, VIII, IX, X, XI, **2007 edition and its 2008a addenda** of the code, and ASME code B31.1-2004**2007** edition, power piping, are adopted by reference in these rules and are available for inspection at the Michigan Department of, **Energy, Labor & Economic Growth, Bureau of Construction Codes and Fire Safety**, 6546 Mercantile Way, Lansing, Michigan 48911 or from the ASME International, 22 Law Drive, Fairfield, New Jersey 07007, at a cost as of the time of adoption of these amendatory rules of ~~\$10,900.00~~**12,874.99** and ~~\$265.00~~**315.00** respectively.

(2) The board may accept pressure-retaining items which have been constructed to standards other than ASME standards and which have been accepted by application of the national board of boiler and pressure vessel inspectors' criteria for registration procedure.

(3) The owner shall not recalculate design maximum allowable working pressures based on ASME codes published after 1998 for boilers in-service before December 31, 1998.

R 408.4026 Inspection and stamping during construction.

Rule 26. ~~(1) An authorized inspector who is licensed to inspect boilers in this state shall, during construction, inspect all boilers, other than cast iron sectional boilers, to be installed in this state, as required by the applicable rules of the board of boiler rules. If a boiler is constructed outside of this state, an authorized inspector who holds a license as an inspector of~~

boilers for a state that has a standard of examination substantially equal to that of this state as provided for in R 408.4071 or who holds a commission issued by the national board of boiler and pressure vessel inspectors shall inspect the boiler.

-(2) The manufacturer shall register a boiler, **blowdown vessel, and expansion tank** other than a cast-iron sectional boiler built or constructed for use in this state after the effective date of these rules, with the national board of boiler and pressure vessel inspectors.

R 408.4027 Adoption; ASME code CSD-1.

Rule 27. (1) The owner shall ensure that the ~~assembly~~**installation**, maintenance, operation, and testing of controls and safety devices is in accordance with manufacturer's instructions and ASME code CSD-1, ~~2004~~**2006** edition, except as modified by these rules. The code ~~and the 2005 addenda are~~is adopted by reference in these rules and are available for inspection at the Michigan Department of **Energy, Labor & Economic Growth**, Bureau of Construction Codes and Fire Safety, 6546 Mercantile Way, Lansing, Michigan 48911 or from the ~~American Society of Mechanical Engineers~~, 22 Law Drive, Fairfield, New Jersey 07007, at a cost as of the time of adoption of these amendatory rules of ~~\$65.00~~**\$85.00**.

(2) An owner or user of a boiler system shall ensure that the ~~assembly~~, maintenance and testing of controls and safety devices is conducted by an individual with a valid mechanical contractor license with the appropriate classification pursuant to 1984 PA 192, MCL 338.971 et seq.

(3) An owner or user shall provide the inspector, at the time of certificate inspection, with evidence showing what tests have been completed annually. The evidence shall be a dated and signed service report or checklist, listing each control and safety device tested with the manufacturer's name, model number, set point, and actual operational test point. An example of a report or checklist may be found in CSD-1, ~~2004~~**2006** edition, appendix C. If an owner does not provide the inspector with the required evidence of annual testing for each year between certificate inspections, then the inspector may issue a certificate of inspection for a term less than that stated in R 408.4057.

**Exception: For hot water heating boilers with a BTU input of 400,000 or less, the requirements of this rule need only be conducted once during an inspection cycle but shall be performed within 12 months prior to the certificate inspection required by R 408.4057(1)(c).**

(4) The owner, user, or operator of a boiler system shall ensure that the daily, weekly, and monthly operational checks are performed and documented pursuant to the manufacturer's instructions and these rules. **If the manufacturer's instructions are not available**, CSD-1, ~~2004~~**2006** edition, nonmandatory appendix D contains a recommended checklist for additional information on periodic checks.

(5) **A manually operated remote shutdown switch as required by CSD-1, 2006 edition, shall be located outside of each exit access doorway to the boiler room. The switch may be located just inside each exit access doorway should a possibility of tampering or weather conditions exist. A licensee may request a deviation from the requirements of this subrule by submitting drawings clearly showing the deviation and stating justification for the request to the chief inspector for review and approval before the installation of a boiler. The chief inspector shall notify the licensee of the approval or denial of the request.**

(6) **A single manually operated remote shutdown switch may be used in a multiple boiler installation that shares a common boiler room.**



**Exception: Kitchen cooking boilers, steam kettles, and steam cookers used for food preparation located in a kitchen shall be exempt from a manually operated remote shutdown switch.**

**(7) Where applicable, the boiler installation shall comply with the Michigan mechanical code, R 408.30901 to R 408.30998, Michigan plumbing code, R 408.30701 to R 408.30796 and Michigan electrical code, R 408.30801 to R 408.30880.**

R 408.4031 Installation and reinstallation of boilers.

Rule 31. (1) The owner shall ensure that the installation of a new boiler or a reinstalled boiler is in accordance with the requirements of these rules, and the ASME boiler and pressure vessel code, 2004~~2007~~ edition, which is adopted by reference in R 408.4025 **and the NBIC 2007 edition, which is adopted by reference in R 408.4024.**

**(2) Where applicable, the boiler installation shall comply with the Michigan mechanical code, R 408.30901 to R 408.30998, Michigan plumbing code, R 408.30701 to R 408.30796 and Michigan electrical code, R 408.30801 to R 408.30880.**

Exception: (1) The ASME code requirement for the completion of a P4B data report for the installation of mechanically assembled boiler external piping is not required.

**(2) The NBIC code, part 1, section 2, paragraph 2.4.4, is enforced by the Michigan plumbing code, R 408.408.30701 to R 408.30796.**

**(3) Witnessing of the pressure test required by the NBIC part 1, section 2, paragraph 2.10.2, is not required.**

**(4) The NBIC code, part 1, section 3, paragraph 3.6.1, is enforced by the Michigan mechanical code, R 408.30901 to R 408.30998.**

R 408.4032 Non-boiler external piping; power boilers; adoption of standards by reference.

Rule 32. (1) The owner shall ensure that the installation of piping not covered by the ASME boiler and pressure vessel code, section I, 2004~~2007~~ edition, and its 2004~~2008a~~ addenda is installed as prescribed by the ASME code for pressure piping, B31.1, 2004~~2007~~ edition, adopted by reference in R 408.4025.

(2) The owner of a chemical plant or petroleum refinery shall comply with subrule (1) of this rule or shall ensure the installation is installed as prescribed by the ASME code for chemical plants and petroleum refineries, B31.3, 2002~~2007~~ edition.

(3) A licensee under this rule is not required to possess an ASME code symbol stamp, but shall hold a valid installer's license.

(4) The owner shall ensure that the installation of all of the following piping is in accordance with subrule (1) of this rule:

- (a) Blowoff piping beyond the second valve out to the safe point of discharge.
- (b) Steam piping out to the load.
- (c) Feed-water piping from the pump.
- (d) Condensate piping.

R 408.4033 Permits; documentation for installation, reinstallation, alteration, and repair of boilers, boiler external piping, and non-boiler external piping.

Rule 33. (1) All of the following provisions apply to installation permits:

(a) A person shall not install, or reinstall, a boiler without holding a proper license and first securing a permit from the boiler division of the department. The licensee applying for the permit shall ensure that work does not proceed until an approved permit has been secured.

(b) A person shall not install or replace welded pipe without holding a proper license and first securing a permit from the boiler division of the department. The licensee applying for the permit shall ensure that work does not proceed until an approved permit has been secured.

(c) A person shall not install nonwelded pipe without holding a proper license. A permit is not required.

(2) All of the following provisions apply to repair and alteration permits or reports:

(a) A person shall not alter or repair a boiler without holding a proper license and first securing a permit from the boiler division of the department. The licensee applying for the permit shall ensure that work does not proceed until an approved permit has been secured, except as provided by section 18 of the act.

(b) A person shall not repair or replace welded piping without holding a proper license and first securing a permit from the boiler division of the department. The licensee applying for the permit shall ensure that work does not proceed until an approved permit has been secured, except as provided for in section 18 of the act.

(c) A person shall not replace nonwelded piping without holding a proper license. A permit is not required.

(d) A person shall not perform welded repairs to nonwelded piping without holding a proper license and first securing a permit from the boiler division of the department. The licensee applying for the permit shall ensure that work does not proceed until an approved permit has been secured, except as provided for in section 18 of the act.

(e) A licensee who makes welded repairs to boilers or boiler external piping requiring the use of the national board "R" symbol stamp shall furnish the boiler division of the department, with 1 copy of the approved permit application, along with reports as required by the NBIC, upon completion of the work.

(f) A public utility or industrial plant that has been granted exemption under section 23 of the act that makes a welded repair to a boiler or boiler external piping, as defined in section I of the ASME code, shall furnish the boiler division of the department with a completed repair report on forms prescribed by the boiler division.

(g) A public utility or industrial plant that has been granted an exemption under section 23 of the act that makes a welded repair to non-boiler external piping shall maintain records of the repairs and make the records available for review as required by the board of boiler rules.

(h3) A permit is required for a change in use of an existing boiler or replacement by mechanical methods, without welding, of sections in sectional boilers; heat exchangers; feed water heater or economizer; and, tube bundles. A licensee replacing boiler components required by these rules to be code symbol stamped and national board registered shall provide the boiler division of the department with documentation supporting compliance **with the manufacturer's data reports.**

(34) Any changes in the scope of work stated on the original permit application shall be submitted to the inspector for review and approval and reported to the boiler division.

#### R 408.4038 Fees.

Rule 38. (1) Fees for licenses, **boiler operator and stationary engineer registration;** permits, certificates, and inspections are as follows:

## Licenses

Installer license .....	\$80.00.
Installer exam .....	\$100.00.
Installer renewal .....	\$80.00.
Repairer license .....	\$80.00.
Repairer exam .....	\$100.00.
Repairer renewal .....	\$80.00.
Inspector license .....	\$80.00.
Inspector exam .....	\$100.00.
Inspector renewal .....	\$50.00.
<b>Boiler operator registration .....</b>	<b>\$80.00</b>
<b>Boiler operator examination .....</b>	<b>\$100.00</b>
<b>Boiler operator registration renewal .....</b>	<b>\$80.00</b>
<b>Stationary engineer registration .....</b>	<b>\$80.00</b>
<b>Stationary engineer written examination .....</b>	<b>\$100.00</b>
<b>Stationary engineer registration renewal .....</b>	<b>\$80.00</b>
<b>3<sup>rd</sup> class stationary engineer oral examination .....</b>	<b>\$150.00</b>
<b>2<sup>nd</sup> class stationary engineer oral examination .....</b>	<b>\$200.00</b>
<b>1<sup>st</sup> class stationary engineer oral examination .....</b>	<b>\$250.00</b>

**Examination fees are nonrefundable.**

## Permit applications

Nuclear installation permit application .....	\$1,380.00.
Nuclear repair permit application .....	\$400.00.
Low-pressure installation permit application .....	\$75.00.
High pressure installation permit application .....	\$120.00 +.05 per foot of piping.
Repair permit application .....	\$75.00.

Permit application fees are nonrefundable.

## Certificates

Certificates .....	<del>\$40.00</del> <b>60.00.</b>
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## Inspections

Power boilers-150 square feet or less .....	<del>\$50.00</del> <b>70.00.</b>
Power boilers-more than 150 square feet to 4,000 square feet .....	<del>\$145.00</del> <b>165.00.</b>
Power boilers-more than 4,000 square feet to 10,000 square feet .....	<del>\$160.00</del> <b>180.00.</b>
Power boilers-more than 10,000 square feet .....	<del>\$185.00</del> <b>205.00.</b>
Low-pressure heating boiler without manhole .....	<del>\$50.00</del> <b>70.00.</b>
Inspection of an additional low-pressure heating boiler without a manhole at the same physical location, on the same date .....	<del>\$40.00</del> <b>60.00.</b>
Low-pressure heating boiler with manhole .....	<del>\$65.00</del> <b>85.00.</b>
Low-pressure hot water supply boiler .....	<del>\$40.00</del> <b>60.00.</b>

Inspection of an additional low-pressure hot water supply boiler at the same physical location, on the same date.....	<del>\$25.00</del> <b>45.00.</b>
Low-pressure process boiler without manhole .....	<del>\$50.00</del> <b>70.00.</b>
Low-pressure process boiler with manhole .....	<del>\$65.00</del> <b>85.00.</b>
Miniature hobby locomotive boiler .....	<b>\$15.00.</b>

### Special inspections

(2) The boiler division shall provide special inspections not otherwise covered in the fee schedule. The charge for this service shall be at the rate of \$100.00 for the first hour and \$100.00 for each additional hour, plus lodging, meals, transportation, and other related expenses incurred for performing special inspections.

(3) Fees required under these rules shall be paid by cash, money order, or check to the department. Money orders or checks shall be made payable to: "State of Michigan."

#### R 408.4047 Exempt boilers.

Rule 47. These rules do not apply to any of the following:

- (a) A boiler under federal control.
  - (b) A swimming pool heater, open car wash heater, and similar types of equipment which do not have intervening valves on the return or discharge piping, which do not have a reduction in pipe size in the return or discharge piping, and which do not generate more than normal circulating pump pressure.
  - (c) A miniature steam or marine engine used for a hobby.
  - (d) A boiler used in the power plant of a self-propelled vehicle designed primarily for transportation of persons or property on a highway, except for a vehicle used exclusively on stationary rails or tracks.
  - (e) A boiler used on a mint farm for mint processing purposes.
  - (f) A nonvaporizing, organic fluid boiler if the boiler meets all of the following criteria:
    - (i) The system is vented and does not have valves or restrictions in the pipe between the boiler and the vent.
    - (ii) The vent pipe is sized so that the thermal expansion of the fluid will not result in an increase in pressure on the system, which is verifiable with engineering data.
    - (iii) The owner or user provides the boiler division of the department with calculations performed by an engineer, which verify that pressure due to thermal expansion cannot exist in the boiler as installed.
  - (g) A low-pressure steam boiler that has a volume of less than 5 cubic feet and that does not have piped feed connections.
  - (h) A water tube or coil type hot water heating boiler requiring forced circulation not exceeding any 1 of the following:**
    - (i) Maximum water temperature of 200 degrees Fahrenheit.**
    - (ii) Relief valve set pressure of 30 psi.**
    - (iii) Heat input of 200,000 BTU/hr.**
- Exception. Modular or multiple boiler installations exceeding 1,000,000 BTU/hr input are not exempt.**

#### R 408.4057 Boiler inspection.

Rule 57. (1) Once a boiler has been inspected by the chief or deputy inspector and the boiler and its installation approved, all certificate inspections shall be conducted in accordance with the NBIC and these rules by an inspector who is properly licensed to inspect boilers in this state in accordance with the following provisions:

(a) A power boiler, process boiler, or high-pressure, high-temperature water boiler shall receive a certificate inspection annually and shall also be externally inspected annually, while under pressure, within 6 months from the date of the internal inspection.

(b) A low-pressure steam or vapor heating boiler shall receive a certificate inspection biennially.

(c) Hot water heating and hot water supply boilers shall receive a certificate inspection triennially, with an internal inspection at the discretion of the inspector.

(d) A nonvaporizing, organic fluid boiler that is not exempt under these rules shall receive an external certificate inspection triennially.

(e) A miniature hobby locomotive boiler shall receive a certificate inspection annually.

(f) A grace period of 2 months beyond the periods specified in subdivisions (a) to (e) of this subrule may lapse between certificate inspections, and the board may permit longer periods between certificate inspections.

(g) Internal inspection of cast iron boilers shall be at the discretion of the inspector.

(2) The certificate inspection shall be an internal inspection if construction allows, otherwise the certificate inspection shall be as complete an inspection as possible unless specified otherwise under this rule.

(3) The chief inspector, deputy inspector, or a special inspector provided for in the act shall make the inspections specified in this rule.

(4) If, at the discretion of the inspector, a hydrostatic test is necessary, the boiler owner or user shall ensure that the test is performed in the presence of the inspector.

R 408.4058 Extension of internal inspection certificate to 24 months.

Rule 58. (1) An internal boiler inspection may be increased from an annual inspection to a 24-month inspection frequency by approval of the board of boiler rules. An employee delegated by the utility or industrial facility shall apply for the extension. The following information shall be addressed by plant orders, procedures, or policies:

(a) Operator training.

(b) Boiler maintenance.

(c) Water chemistry.

(d) Operating parameters.

(e) Chemical cleaning schedule.

(f) Protective devices.

(g) Boiler external inspection.

(h) Testing of pressure relief valves in accordance with the NBIC. Repairs shall be conducted by the valve manufacturer or a "VR" stamp holder.

The information may be contained in 1 document or several if 1 document contains references to all other documents addressing the required information.

(2) The plant owner shall establish a review committee. The inspector shall be a member of the committee. The purpose of the committee is to determine the acceptability of a boiler to operate safely for a 24-month period. The committee shall have access to and review all information pertaining to the past operation, maintenance, and repair of the boiler. The review

**committee meeting** shall be conducted within 30 days after the internal inspection. The committee may decrease the period of time the boiler may operate, but shall not extend the period beyond 24 months. **The signed summary report of the review committee meeting shall be submitted to the boiler division of the department.** The grace period provided under R 408.4057 does not apply to this rule. The inspector shall indicate the next inspection due date on his or her inspection report to the boiler division of the department.

**(3) Utilities or industrial facilities with a prescheduled boiler internal certificate inspection period shall communicate with the boiler division the date when the boiler is removed from service. The boiler internal inspection may occur at any time during the outage period. The next 24-month operating period shall be calculated based on the date of the certificate inspection conducted during this period.**

**(34)** An external inspection of the boiler shall be conducted while under pressure, within 12 months of the ~~internal~~ **certificate** inspection.

#### R 408.4087 Reporting unregistered boilers.

Rule 87. (1) If an **special** inspector visits a location to conduct an inspection as required by these rules, then he or she shall report the location of all boilers that are not registered. The report shall be in addition to the report pertaining to the inspection of registered boilers and their installation. The chief inspector shall assign a deputy inspector to visit the location to inspect all unregistered boilers and affix a Michigan serial number.

(2) If an inspector makes an inspection of a boiler that does not bear a Michigan serial number, then the inspector shall attempt to verify whether the boiler is unregistered or is missing the serial number tag. If the inspector is unable to determine that the boiler is registered, then he or she shall report it as prescribed in subrule (1) of this rule.

#### R 408.4109 Classes of boiler installer's licenses.

Rule 109. (1) A class 1B installer's license qualifies a person to install a low-pressure boiler that does not exceed a firing rate of 1,000,000 Btu per hour as certified by the boiler manufacturer. For a class 1B license, the sum of all modules in a modular boiler shall not exceed a firing rate of 1,000,000 Btu per hour as certified by the boiler manufacturer.

(2) A class 2B installer's license qualifies a person to **do all of the following:**

(a) ~~i~~Install a low-pressure boiler of any capacity or firing rate.

(b) ~~and t~~To perform work covered by a class 1B license.

(3) A class 3B installer's license qualifies a person to **do all of the following:**

(a) ~~i~~Install a power boiler, that has a capacity of not more than 5,000 pounds of steam per hour.

(b) **Install or replace non-boiler external piping as defined by ASME code B31.1 and R 408.4032.**

(c) ~~and to p~~Perform work covered by a class 2B license.

(4) A class 4B installer's license qualifies a person to **do all of the following:**

(a) ~~i~~Install a boiler that has a capacity of not more than 300,000 pounds of steam per hour.

(b) **Install or replace non-boiler external piping as defined by ASME code B31.1 and R 408.4032.**

(c) ~~and to p~~Perform work covered by a class 3B license.

(5) A class 5B installer's license qualifies a person to **do all of the following:**

(a) ~~i~~Install a boiler of any capacity or firing rate. ~~e~~**Exception:** for a nuclear heat source boiler.

**(b) Install or replace non-boiler external piping as defined by ASME code B31.1 and R 408.4032.**

**(c)** Perform work covered by a class 4B license.

(6) A class 6B installer's license qualifies a person to install a boiler that utilizes a nuclear heat source or its parts, appurtenances, or system components. Before a license is issued, an applicant for a class 6B license shall **submit** give evidence of **both of the following**:

**(a)** ~~Familiarity~~ familiarity with and knowledge of all federal rules and regulations regarding the installation of a boiler that has a nuclear heat source, ~~and shall be in the employ of~~

**(b) Employment** by a company in possession of a valid ASME nuclear code symbol applicable to the portions of any nuclear boiler system that the company proposes to install.

(7) A class P license qualifies a person to install **or replace** non-boiler external piping or repair non-boiler external piping as defined by ASME code B31.1 and R 408.4032.

R 408.4114 Inspection of components and systems in a nuclear power plant.

Rule 114. (1) Preservice (baseline) inspection, in-service inspection, repair, replacement, modification, alteration, examination, testing, records, and reports of individual nuclear components, parts, appurtenances, piping, supports, nuclear systems, applicable associated auxiliary systems, and complete nuclear power plants that are in compliance with all of the requirements of the construction code, at the point in time the requirements have been completed, irrespective of the physical location, shall be as prescribed in section XI, rules for in-service inspection of nuclear power plant components, of the ASME boiler and pressure vessel code. A copy of the current edition of section XI is available for inspection at the Michigan Department of **Energy**, Labor & Economic Growth, Bureau of Construction Codes and Fire Safety, 6546 Mercantile Way, Lansing, Michigan 48911 or from the ASME International, 22 Law Drive, Fairfield, New Jersey 07007, at a cost as of the time of adoption of these amendatory rules of \$495.00 **610.00**.

(2) The owner of a nuclear power plant shall file inspection plans and schedules, pump and valve testing programs, and requests for relief from section XI of the ASME code requirements with the boiler division of the department.

(3) The nuclear power plant shall maintain compliance with requirements, as prescribed by the ~~N~~nuclear ~~R~~regulatory ~~C~~commission.

R 408.4121 Examination for boiler repairer's license; establishment; administration; nuclear repairer license applicant; certificate of authorization; examination.

Rule 121. (1) ~~The examination for a boiler repairer's license shall be approved by the board of boiler rules.~~ The examination will **shall** be held quarterly at a location determined by the boiler division of the department.

(2) An applicant wishing to upgrade his or her license to a higher classification shall take the examination prescribed in subrule (1) of this rule.

(3) The director, upon the request of a company in possession of a valid ASME "N" type certificate of authorization or the national board of boiler and pressure vessel inspectors "NR" certificate of authorization, shall issue, to an individual of the company, a license as a nuclear repairer if the individual, before receiving his or her license, satisfactorily passes the examination prescribed in subrule (1) of this rule.

R 408.4127 Boiler repairers; classes of licenses.

Rule 127. (1) A class I license allows a licensee to repair a boiler by means other than welding, riveting, or other fabrication process.

(2) A class II license allows a licensee to **do both of the following:**

(a) ~~repair~~ **Repair** a low-pressure boiler, a hot water supply boiler, and a fire tube boiler of any pressure.

(b) ~~and to perform~~ Perform work covered by a class I license.

(3) A class III license allows a licensee to **do all of the following:**

(a) ~~Repair a~~ **high-pressure** water tube boiler.

(b) **Repair or replace non-boiler external piping, as defined by ASME code B31.1 and R 408.4032.** ~~designed for a maximum allowable working pressure of not more than 700 psi and~~

(c) **Perform work** a boiler covered by a class II license.

(4) A class IV license allows a licensee to **do all of the following:**

(a) ~~Repair or field erect~~ a boiler of any pressure. ~~e~~**Exception:** ~~for a boiler that has a nuclear heat source.~~

(b) **Repair or replace non-boiler external piping as defined by ASME code B31.1 and R 408.4032.**

~~A licensee who field erects boilers shall be in the employ of a company in possession of the appropriate ASME code symbol stamps for the type of boiler being erected.~~

(5) A class V license allows a licensee to erect and repair a boiler that has a nuclear heat source or its parts, appurtenances, or system components, **and also provides the following:**

(a) **The licensee may repair or replace non-boiler external piping, as defined by ASME code B31.1 and R 408.4032.**

(b) Before a license is issued, an applicant for a class V license shall ~~give~~ **submit** evidence of **the following:**

(i) ~~f~~**Familiarity** with and knowledge of all federal rules and regulations regarding the construction of a boiler that has a nuclear heat source ~~and shall be employed by a~~

(ii) **Employment** by a company in possession of a valid ASME N-type symbol stamp applicable to the portions of any nuclear boiler system he or she proposes to repair.

(6) A class P license qualifies a person to install or repair non-boiler external piping as defined by ASME code B31.1 **and R 408.4032.**

(7) A licensed boiler repairer shall secure a permit for a change in use of an existing boiler or replacement by mechanical methods, without welding, of sections in sectional boilers, heat exchangers, feed water heater or economizer, and tube bundles in accordance with R 408.4033.

R 408.4171 Removal of used boilers from the state.

Rule 171. (1) If an ASME boiler located in this state is to be moved to another state for temporary use or repairs, application shall be made by the owner ~~or user~~ to the chief inspector for permission to reinstall the boiler in this state **as prescribed in R 408.4177.**

(2) **Repairs conducted outside of this state to boilers that will be reinstalled in this state shall be conducted by an organization in possession of a valid certificate of authorization to repair boilers. The organization shall conduct the repair in accordance with the NBIC and submit all forms required by the NBIC.**

R 408.4186 **Rescinded.** ~~Steam cleaners.~~

~~Rule 186. (1) A steam cleaner is subject to all of the provisions of these rules and the act if steam is generated in the coils or any of the following limitations are exceeded:~~



- ~~(a) A 3/4 inch diameter tube or pipe that does not have drums or heads attached.~~
- ~~(b) A nominal water containing capacity of 6 gallons.~~
- ~~(c) A water temperature of 350 degrees Fahrenheit.~~
- ~~(d) A Btu input per hour of 800,000.~~
- ~~(2) A steam cleaner that does not exceed any of the limitations specified in subrule (1) of this rule is exempt from these rules and the act if equipped with adequate controls and with appropriate ASME safety valves.~~

R 408.4193 Stairways, ladders, platforms, and runways.

Rule 193. ~~(1) If the distance from the floor to the top of a boiler or boiler setting is more than 8 feet, then a permanent stairway or permanently attached inclined or vertical ladder shall be installed to give safe access to, and permit exit from, boiler tops. A permanent platform that provides access to the main stop valve and safety valves of a boiler shall be installed without obstructing the valves. A platform is not required for main stop valves that are operated from a remote location.~~

~~(2) If the distance from the floor to the top of 2 or more adjacent boilers or boiler settings is more than 8 feet, then a steel runway or platform which is not less than 18 inches wide and which is provided with standard handrails and toeboards on either side shall be installed across the top of adjacent boilers or at some other convenient level to afford safe access to the boiler. A runway shall have not less than 2 means of exit which are remotely located from each other and which are connected to a permanent stairway or inclined ladder leading to the floor level.~~

~~(3) If the distance from the top of a boiler or boiler setting to the ceiling is less than 6 feet, then special consideration to meet the requirements of this rule will be given by the chief inspector upon receipt of detailed plan information. The chief inspector shall notify the owner or user of his or her decision regarding a request for special consideration and, if denied, shall indicate his or her reasons for the denial.~~

~~(4) If the low point of a water column is located 15 feet or more above the floor or walkway, then a platform that has a standard toeboard shall be installed.~~

~~(5) A platform shall be installed at 1 end of all drums of a water tube boiler that are more than 4 feet above the floor or walkway to permit safe access to the interior of the drums for cleanout and inspection.~~

~~(6) A boiler shall be provided with platforms at cleanout openings on the side walls that are more than 4 feet above the floor or walkway.~~

~~(7) An inspector shall notify the chief inspector of an owner or user who is required to conform to this rule, and the chief inspector shall give written notice to the owner or user that the installation of the required stairway, runway, platform, or ladder is to be made. The owner or user shall be allowed 1 year from the date of the chief inspector's notification to complete the work.~~

~~(8) A licensee may request a deviation from the requirements of this rule by submitting drawings to the chief inspector for review and approval before installation of the boiler. The licensee will be notified by the chief inspector of the approval or denial of the request.~~

R 408.4195 Exits from boiler rooms.

Rule 195. ~~(4) The owner shall ensure that the exit from a boiler room has complies with the requirements specified in the Michigan building code, R 408.30401 to R 408.30547, not less~~

than 2 egress doorways where the area of the room is more than 500 square feet and the Btu/hour input capacity of the boiler or boilers is more than 400,000 Btu/hour.

~~-(2) The owner shall ensure that doorways are separated by a horizontal distance equal to not less than 1/2 of the diagonal dimension of the room. If 2 doorways are required by this rule, then a fixed ladder access out of the room is permitted in place of 1 doorway.~~

~~-(3) An inspector shall notify the chief inspector of an owner or user who is required to comply with subrule (1) of this rule. The chief inspector shall give written notice to the owner or user that the necessary work must be completed within 1 year from the date of notification.~~

R 408.4197 Clearance between boilers and other objects.

Rule 197. (1) A licensee performing an installation shall assure that a minimum clearance of 24 inches is provided between a boiler, its controls, firing equipment, and appurtenances and the building walls and partitions or other boilers or machinery. The licensee shall assure that clearances are in accordance with the manufacturer's instructions where required clearances are greater than the minimum required by this rule. The boiler owner shall assure that the clearances are maintained for the life of the boiler and shall not be infringed upon by items in storage.

**(2) The elevation of a boiler above the floor shall be as specified in the Michigan mechanical code, R 408.30901 to R 408.30998.**

(23) A licensee may request a deviation from the requirements of this rule by submitting drawings to the chief inspector for review and approval before installation of the boiler. The licensee shall be notified by the chief inspector of the approval or denial of the request.

## PART 5. INSERVICE INSPECTION OF BOILERS

R 408.4507 ~~Special~~**Pressure** hydrostatic testing.

Rule 507. **The inspector may require a pressure test to assess leak tightness of the pressure retaining item. Pressure testing methods shall be as described in the NBIC.**~~(1) At the interval specified by this rule, the owner shall ensure that a special hydrostatic test is performed. The owner shall ensure that the test pressure is not less than 80% of the maximum allowable working pressure and is not more than 1 1/2 times the maximum allowable working pressure. The test pressure shall be acceptable to the inspector. The owner shall ensure that the water temperature used to apply the hydrostatic test is not less than 70 degrees Fahrenheit and that the maximum metal temperature is not more than 120 degrees Fahrenheit. Hold time for the examination by the inspector shall be the time necessary for the inspector to conduct the examination, but not less than 10 minutes. The inspector may require the owner to expose all longitudinal seams, girth seams, boiler supports, and attachments for inspection. All of the following are required for testing:~~

~~-(a) The owner shall ensure that a test of a riveted boiler is performed at 30 years and every 4 years thereafter. An inspector may require removal of rivets to ascertain their condition.~~

~~-(b) The owner shall ensure that a test of a lap seam boiler which is less than 36 inches in diameter and which operates at 100 psig or less is performed at 20 years and every 4 years thereafter. A lap seam boiler which is more than 36 inches in diameter or which operates at more than 100 psig shall not operate in this state.~~

~~-(c) The owner shall ensure that a test is performed on a welded boiler at 30 years and every 8 years thereafter for boilers on a 1 or 2-year inspection frequency and every 9 years for boilers on a 3-year inspection frequency.~~

~~-(d) The owner shall ensure that a leak test is performed on a mechanically assembled boiler at 30 years and every 8 years thereafter. The hydrostatic pressure shall not exceed the safety/safety relief valve setting. The inspector may require an internal inspection.~~

~~-(e) The owner may request a waiver of the special hydrostatic test required under this rule to the chief inspector if the boiler stated in the request has been granted an extension of the internal inspection frequency under R 408.4058. If a waiver is granted, the review committee established under R 408.4058 shall evaluate the condition of the boiler during each review to determine if a hydrostatic test is necessary.~~

~~-(2) The inspector may require a nondestructive examination for seams or weldments that are inaccessible.~~

## PART 7. BOILER BLOWOFF SYSTEMS

R 408.4701 Design and construction of blowdown vessel reports.

Rule 701. (1) The owner shall ensure that blowdown vessels for use in the state of Michigan are designed and constructed as prescribed by these rules and the ASME boiler and pressure vessel code, section VIII, division 1, entitled "Unfired Pressure Vessels," 2004**2007** edition, and its 2005**2008a** addenda which are adopted by reference in these rules and are available for inspection at the Michigan Department of **Energy**, Labor & Economic Growth, Bureau of Construction Codes, 6546 Mercantile Way, Lansing, Michigan 48911 or from the ASME International, 22 Law Drive, Fairfield, New Jersey 07007, at a cost as of the time of adoption of these amendatory rules of \$495.00**610.00**. National board of boiler and pressure vessel inspector document NB-27, 2004 edition, may be used as a guide for the design of blowdown tanks.

(2) The owner shall ensure that a blowdown vessel has a minimum allowable working pressure of 50 psig and that the installation complies with these rules and the vessel manufacturer's instructions.

(a) The blowdown vessel, its fittings, and connections shall be sized so that the internal pressure does not rise more than 5 psig above ambient pressure during the blowdown.

(b) The blowdown vessel shall be provided with adequate openings to facilitate internal cleaning and inspection. An internal inspection of the blowdown vessel shall be conducted during the certificate inspection of the boiler.

(c) The blowdown vessel shall be provided with the following fittings and connection openings in addition to those provided by the manufacturer for the proper installation and operation of the vessel:

(i) A vent connection.

(ii) A drain connection. A drain connection is not required on a separator.

(iii) A thermometer that has a maximum scale reading of 300 degrees Fahrenheit and that is located in the water outlet from the blowdown vessel.

(iv) A pressure gauge that is graduated from 0 to 30 psig and that is attached to the top of the steam space of the blowdown vessel.

(d) The blowdown vessel shall be installed in a location that prevents it and its connected piping from freezing and shall be installed in a manner that permits both internal and external inspection.

(3) A manufacturer shall provide the boiler division of the department, with the manufacturer's data reports. A data report that is signed by an authorized inspector, together with the ASME

code symbol stamp on the vessel, is the record denoting that the blowdown vessel has been constructed in accordance with the ASME code.

(4) The manufacturer shall register all blowdown vessels for use in the state of Michigan with the national board of boiler and pressure vessel inspector.

**BOILER ACT OF 1965**  
**Act 290 of 1965**

AN ACT to regulate the use, construction, installation, and repair of certain boilers; to create a board of boiler rules; to prescribe uniform rules and regulations for certain boilers; to provide for the licensing of certain boiler inspectors, installers, and repairers and registration of certain boiler operators and stationary engineers; to provide for powers and duties for certain state agencies and officers; to provide fees for registrations, licenses, permits, inspections, and certificates; to provide penalties and remedies for the violation of this act; and to repeal acts and parts of acts.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

*The People of the State of Michigan enact:*

**408.751 Boiler act of 1965; short title.**

Sec. 1. This act shall be known and may be cited as the "boiler act of 1965".

**History:** 1965, Act 290, Eff. July 1, 1966.

**Compiler's note:** For transfer of powers and duties relating to promulgation of rules by board of boiler rules from the department of labor to the director of the department of consumer and industry services see E.R.O. No. 1996-2, compiled at MCL 445.2001 of the Michigan Compiled Laws.

**Transfer of powers:** See MCL 16.485.

**408.752 Definitions.**

Sec. 2. As used in this act:

(a) "Antique steam boiler" means a boiler that is no longer used in production applications and is used to demonstrate the historical significance of steam boilers in American history.

(b) "Approved apprenticeship program" means a training program for boiler operators or stationary engineers certified by or meeting the standards of the United States department of labor bureau of apprenticeship training and approved by the board.

(c) "Associated auxiliaries" means equipment that is required in the operation of a boiler that includes, but is not limited to, pumps, regulators, feedwater heaters, superheaters, de-superheaters, economizers, air preheaters, draft fans, combustion and pollution control equipment, and prime movers.

(d) "Board" means the board of boiler rules created in section 3.

(e) "Boiler" means a closed vessel in which water is heated, steam is generated, steam is superheated, or a combination thereof, under pressure or vacuum by the application of heat from combustible fuels, electricity, or nuclear energy. Boiler does not include facilities of an integral part of a continuous processing unit but does include a fired unit for heating or vaporizing liquids other than water, if the unit is separate from a processing system and is complete within itself.

(f) "Boiler for agricultural purposes" means a portable boiler used in a field or similar open area for the sole purpose of operating farm equipment or farm machinery.

(g) "Boiler operator" or "stationary engineer" means a person engaged in the operation of boilers and associated auxiliaries.

(h) "Certificate inspection" means an inspection, the report of which is used by the chief inspector to decide whether a certificate, as provided by section 20, shall be issued. The certificate inspection shall be an internal inspection if construction allows; otherwise the certificate inspection shall be as complete an inspection as possible.

(i) "Director" means the director of the department of labor and economic growth or a representative designated by the director.

(j) "External inspection" means an inspection that does not involve examination of the internal surfaces of the pressure parts of the boiler.

(k) "Heating surface" means the heating surface determined by the boiler manufacturer and recorded in the manufacturer's data report or by rules established by the board for a boiler if the manufacturer's data report is not available or the boiler is not stamped with its heating surface.

(l) "High pressure, high temperature water boiler" means a water heating boiler operating at pressure exceeding 160 p.s.i.g. or temperatures exceeding 250 degrees Fahrenheit.

(m) "Low pressure boiler" means a steam boiler operated at pressures not exceeding 15 p.s.i.g., or a hot water heating boiler operated at pressures not exceeding 160 p.s.i.g. or temperatures not exceeding 250 degrees Fahrenheit.

(n) "P.S.I.G." means pounds per square inch gauge.

(o) "Power boiler" means a closed vessel in which steam or other vapor is generated at a pressure of more than 15 p.s.i.g. by the direct application of heat.

(p) "Process boiler" means a boiler operated at a pressure or temperature from which more than 10% of the boiler's capacity is used for direct steam humidification or direct process work.

(q) "Qualified technical education program" means an educational program approved by the board that has a minimum of 350 contact hours in classroom hands-on training, field training, or supervised plant visits for high pressure boiler operators. The board may establish lesser standards for an educational program for low pressure operator training or other entry level training positions only.

(r) "Qualified training program" means either of the following:

(i) An in-house training program approved by the board and offered to boiler operators and stationary engineers by an employer.

(ii) An in-house training program implemented or developed by a utility and offered to boiler operators and stationary engineers by an employer as a result of negotiations between an employer and its employees.

(s) "Rule" means a rule promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(t) "Secondhand boiler" means a boiler that has changed ownership and location after initial use.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986;—Am. 2004, Act 103, Imd. Eff. May 20, 2004;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

**408.753 Board of boiler rules; creation; appointment, qualifications, and terms of members; removal of member; vacancy; election of officers; conducting business at public meeting; notice of meeting; quorum; effectiveness of approval, decision, or ruling; compensation and expenses.**

Sec. 3. (1) There is created a board of boiler rules in the department of labor and economic growth. The board, in addition to the director, shall consist of 12 members, 11 of whom shall have substantial experience in the design, erection, fabrication, installation, operation, repair, or inspection of boilers, and 1 of whom shall represent the general public. Members shall be appointed by the governor with the advice and consent of the senate for terms of 4 years each. The governor may remove a member of the board for inefficiency or neglect of duty in office. Upon the death or incapacity of a member, the governor shall fill the vacancy for the remainder of the vacated term with a representative of the same interests with which the predecessor was identified. Of the 12 appointed members, 2 shall be representatives of owners and users of boilers within this state, 1 shall represent owners and users of power boilers operating at 1,000 p.s.i.g. or more, 2 shall be representatives of organized labor in the state engaged in the erection, fabrication, installation, operation, or repair of boilers, 1 shall be a representative of water tube boiler manufacturers doing business within this state, 1 shall be a representative of fire tube boiler manufacturers doing business within this state, 1 shall be a representative of a boiler insurance company licensed to do business within this state, 1 shall be a representative of the mechanical contractors within this state having experience in the installation, piping, or operation of boilers, 1 shall be a representative of boiler repair contractors within this state in the business of repairing boilers by welding and riveting, 1 shall be a representative of the consulting engineers within this state having boiler experience, 1 shall be a representative of antique steam boiler owners and operators, and 1 shall be a representative of the general public.

(2) Annually, at the first meeting, the board shall elect a chairperson, vice-chairperson, and secretary. The business which the board of boiler rules may perform shall be conducted at a public meeting of the board of boiler rules held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall meet not less than quarterly or more frequently at the call of the chairperson or 4 members of the board with public notice of the time, date, and place of a meeting given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and 10 days' notification to board members.

(3) Seven members of the board shall constitute a quorum for the transaction of business. An approval, decision, or ruling of the board is not effective unless supported by a majority of the members present.

(4) The per diem compensation of the members of the board, other than the director, and the schedule for reimbursement of expenses, shall be established annually by the legislature.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986;—Am. 2004, Act 103, Imd. Eff. May 20, 2004.

**408.754 Promulgation of rules; scope; use of title.**

Sec. 4. (1) The department shall promulgate rules for the safe construction, installation, inspection, operation, and repair of boilers in the state.

(2) The rules promulgated for new construction shall be based upon and follow the generally accepted nationwide engineering standards, formulae, and practices established and pertaining to boiler construction and safety. The department, by rule, may adopt an existing published codification, known as the boiler and pressure vessel code of the American society of mechanical engineers, with the amendments and interpretations.

(3) The department shall promulgate rules for the safe inspection and maintenance of boilers that were in use in the state before July 1, 1966. The rules promulgated shall be based upon and follow the generally accepted nationwide engineering standards and may be based upon an existing published codification known as the inspection code of the national board of boiler and pressure vessel inspectors.

(4) A departure from the requirements of this section is permitted in an unusual situation involving a boiler of special design or construction if the board is satisfied that a proposed facility will provide a degree of safety commensurate with the intent of this act.

(5) Upon payment of a fee as prescribed by section 4a and without examination, the board may register an applicant for the use of a title described in section 13a who is a boiler operator or stationary engineer licensed or registered as a boiler operator or stationary engineer in another state, municipality, or country whose requirements for licensure or registration are, at a minimum, substantially equivalent to the requirements of this state for registration as determined by the board, if that other state, municipality, or country extends the same privileges through reciprocity to a boiler operator or stationary engineer registered in this state.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1976, Act 363, Imd. Eff. Dec. 23, 1976;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

**Administrative rules:** R 408.4001 et seq. of the Michigan Administrative Code.

**408.754a Rules to establish fee schedules; filing completed licensing application; issuance of license within certain time period; report; state boiler inspection fund; “completed application” defined.**

Sec. 4a. (1) The department, in consultation with the board, shall promulgate rules to establish the fee schedules for licenses, permits, certificates, registrations, examinations, and inspections. The fees shall reflect the actual costs and expenses for the department of labor and economic growth in issuing licenses, permits, registrations, examinations, and certificates and in conducting inspections.

(2) Beginning July 23, 2004, the department of labor and economic growth shall issue an initial or renewal license, permit, or registration, not later than 90 days after the applicant files a completed application. Receipt of the application is considered the date the application is received by any agency or department of the state of Michigan. If the application is considered incomplete by the department of labor and economic growth, the department of labor and economic growth shall notify the applicant in writing, or make the information electronically available, within 30 days after receipt of the incomplete application, describing the deficiency and requesting the additional information. The 90-day period is tolled upon notification by the department of labor and economic growth of a deficiency until the date the requested information is received by the department of labor and economic growth. The determination of the completeness of an application does not operate as an approval of the application for the registration, license, or permit and does not confer eligibility of an applicant determined otherwise ineligible for issuance of a registration, license, or permit.

(3) If the department of labor and economic growth fails to issue or deny a registration, license, or permit within the time required by this section, the department of labor and economic growth shall return the registration, license, or permit fee and shall reduce the registration, license, or permit fee for the applicant's next renewal application, if any, by 15%. The failure to issue a registration, license, or permit within the time required under this subsection does not allow the department to otherwise delay the processing of the application, and that application, upon completion, shall be placed in sequence with other completed applications received at that same time. The department of labor and economic growth shall not discriminate against an applicant in the processing of the application based upon the fact that the registration, license, or permit fee was refunded or discounted under this subsection.

(4) Beginning October 1, 2005, the director shall submit a report by December 1 of each year to the standing committees and appropriations subcommittees of the senate and house of representatives concerned with occupational issues. The director shall include all of the following information in the report concerning the preceding fiscal year:

(a) The number of initial and renewal applications the department of labor and economic growth received and completed within the 90-day time period described in subsection (2).

(b) The number of applications denied.

(c) The number of applicants not issued a permit, registration, or license within the 90-day time period and

the amount of money returned to licensees, permittees, and registrants under subsection (3).

(5) To accomplish the objectives of this section and this act, a state boiler inspection fund is created as a restricted fund in the state treasury. The state treasurer is the custodian of the fund and may invest the surplus of the fund. Earnings from those investments shall be credited to the fund. The state treasurer shall notify the director and the legislature of interest credited and the balance of the fund as of September 30 of each year. The director shall supervise and administer the fund. Fees received by the department of labor and economic growth and money collected under this act shall be deposited in the state boiler inspection fund and shall be appropriated by the legislature for the operations of the boiler division and indirect overhead expenses in the department of labor and economic growth. Funds that are unexpended at the end of each fiscal year shall not lapse to the general fund and shall be returned to the state boiler inspection fund.

(6) As used in this section, "completed application" means an application complete on its face and submitted with any applicable registration, licensing, or permit fees as well as any other information, records, approval, security, or similar item required by law or rule from a local unit of government, a federal agency, or a private entity but not from another department or agency of the state of Michigan.

**History:** Add. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986;—Am. 2004, Act 265, Imd. Eff. July 23, 2004;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

**Administrative rules:** R 408.4001 et seq. of the Michigan Administrative Code.

#### **408.755 Nonconforming boilers; special design; special installation and operating permit.**

Sec. 5. No boiler which does not conform to the rules and regulations formulated by the board governing new construction and installation shall be installed and operated in this state after July 1, 1966, unless the boiler is of special design or construction, and is not covered by the rules and regulations, nor is in any way inconsistent with such rules and regulations, in which case a special installation and operation permit may at its discretion be granted by the board.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966.

#### **408.756 Maximum allowable pressure; safety standards; sale or reinstallation.**

Sec. 6. (1) The maximum allowable pressure of a boiler carrying the American society of mechanical engineers' code symbol shall be determined by the applicable sections of the code under which it was constructed and stamped.

(2) The maximum allowable pressure of a boiler which does not carry the American society of mechanical engineers' code symbol may be computed in accordance with the inspection code of the national board of boiler and pressure vessel inspectors.

(3) This act shall not be construed as in any way preventing the use, sale or reinstallation of an existing boiler, if it has been made to conform to the rules and regulations of the board governing existing installations, if it has been found upon inspection to be in a safe condition.

**History:** 1965, Act 290, Eff. July 1, 1966.

#### **408.757 Exemptions.**

Sec. 7. This act shall not apply to any of the following:

- (a) Boilers under federal control.
- (b) Boilers used in the power plants of self-propelled vehicles designed primarily for the transportation of persons or property upon a highway, except vehicles used exclusively upon stationary rails or tracks.
- (c) Boilers used solely for agricultural purposes.
- (d) Steam or vapor boilers carrying a pressure of not more than 15 p.s.i.g., which are located in a private residence or in an apartment building with a capacity of less than 6 families.
- (e) Hot water boilers operated at a pressure not exceeding 160 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that are located in a private residence or in an apartment building with a capacity of less than 6 families.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.757a Antique steam boilers; compliance with rules; inspection; certificate of inspection; exception.**

Sec. 7a. (1) Antique steam boilers shall comply with the rules promulgated by the board and shall be inspected once every 3 years. An owner of an antique steam boiler may request an inspection more often than every 3 years. Antique steam boilers used for commercial purposes shall be inspected annually. A certificate of inspection shall be issued by the department of labor and economic growth upon compliance with the



applicable rules.

(2) This act does not apply to miniature steam or marine engines used as a hobby.

**History:** Add. 1969, Act 157, Eff. Oct. 1, 1969;—Am. 1982, Act 176, Imd. Eff. June 9, 1982;—Am. 2004, Act 103, Imd. Eff. May 20, 2004.

#### **408.757b Act inapplicable to certain boilers.**

Sec. 7b. This act shall not apply to boilers used on farms for mint processing purposes.

**History:** Add. 1974, Act 194, Imd. Eff. July 2, 1974.

#### **408.757c Miniature hobby locomotive; annual inspection; report; fee; rules; application and inspection by club; "public display or use" defined.**

Sec. 7c. (1) Subject to subsections (2), (3), (4), and (5), this act does not apply to a miniature hobby locomotive operating on narrow gauge tracks less than 24 inches in width.

(2) The department of consumer and industry services shall inspect annually a miniature hobby locomotive operating in a public display or use. The inspection shall be conducted by a deputy inspector or special inspector or by a miniature hobby locomotive club in the manner provided for in subsections (4) and (5). The inspector shall file a copy of the inspection report with the chief inspector and provide a copy of the inspection report to the owner of the miniature hobby locomotive.

(3) The fee for an inspection conducted by a deputy or special inspector is \$15.00. The department of consumer and industry services, upon demonstration that the miniature hobby locomotive boiler complies with the applicable rules governing miniature hobby locomotives, shall issue a certificate of inspection to the owner of that locomotive.

(4) The director shall promulgate rules under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, regarding the inspection, certification, and adoption by reference or establishment of inspection and certification standards for boilers used on miniature hobby locomotives subject to this section. The rules shall include a procedure for approval and authorization of miniature hobby locomotive clubs to perform inspections and certify boilers used in miniature hobby locomotives.

(5) The board shall approve a miniature hobby locomotive club applying to the board for approval to inspect and certify boilers used in miniature hobby locomotives upon the board's determination that the club complies with and applies the inspection and certification standards established in the rules. After approval and authorization by the board, the miniature hobby locomotive club may inspect boilers and certify to the board that a miniature hobby locomotive complies with the standards contained in the rules.

(6) As used in this section, "public display or use" means display to or use by the general public but not the owner or the owner's family.

**History:** Add. 1998, Act 503, Imd. Eff. Jan. 5, 1999.

#### **408.758 Chief inspector; appointment, qualifications, and duties.**

Sec. 8. (1) The director shall appoint, subject to civil service rules, a resident of this state, who has not less than 10 years' experience in the inspection, construction, maintenance, repair, or operation of high pressure boilers as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector, and who has passed the examination prescribed by section 12, to be chief inspector. Instead of the examination provided for in section 12, the appointee shall hold a license or a certificate of competency as an inspector of boilers for a state that has a standard of examination substantially equal to the standard of this state, or a license as an inspector of boilers issued by the national board of boiler and pressure vessel inspectors.

(2) The chief inspector, if authorized by the director, shall:

(a) Cause the prosecution of all violators of this act.

(b) Issue, suspend, or revoke for cause, inspection certificates, as provided in section 20.

(c) Enforce the laws of the state governing the use of boilers to which this act applies.

(d) Keep a complete record of the type, dimensions, maximum allowable pressure, age, location, and date of the last recorded inspection of all boilers to which this act applies.

(e) Publish and distribute, among manufacturers and others requesting it, a copy of the rules adopted by the board.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980.

#### **408.759 Deputy inspectors; employment; qualifications.**

Sec. 9. The director, subject to civil service rules, shall employ deputy inspectors who shall be responsible to the chief inspector. A deputy inspector shall have had at the time of appointment not less than 5 years' experience in the inspection, construction, maintenance, repair, or operation of high pressure boilers as a

mechanical engineer, steam operating engineer, boilermaker, or boiler inspector. A deputy inspector shall have passed the examination provided for in section 12. Instead of the examination provided in section 12, a deputy inspector shall hold a license or a certificate of competency as an inspector of boilers for a state that has a standard of examination substantially equal to the standard of this state, or a license as an inspector of boilers issued by the national board of boiler and pressure vessel inspectors.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980.

#### **408.760 Inspectors' bonds; amounts, payment.**

Sec. 10. The chief inspector shall furnish a bond in the sum of \$5,000.00 and each of the deputy inspectors, employed and paid by the state, shall furnish a bond in the sum of \$2,000.00, conditioned upon the faithful performance of their duties and upon a true account of moneys handled by them respectively and the payment thereof to the proper recipient. The cost of the bonds shall be paid by the state.

**History:** 1965, Act 290, Eff. July 1, 1966.

#### **408.761 Special inspectors; qualifications; application for license or examination; filing; fees; license renewal; salary or expenses from state prohibited; continuance of license; inspection of boilers; exemption from inspection fees.**

Sec. 11. (1) The director, upon the request of a company authorized to insure against loss from explosion of boilers in this state; a city having an authorized boiler inspection department; or a company operating boilers in this state for which the owner or user maintains a regularly established inspection service which is under the supervision of 1 or more registered professional engineers regularly employed by the owner or user, shall issue to an inspector of the company a license as a special inspector if the inspector before receiving his or her license satisfactorily passes the examination provided for in section 12. Instead of the examination, provided for in section 12, an inspector shall hold a license or a certificate of competency as an inspector of boilers for a state that has a standard of examination substantially equal to the standard of this state, or a license as an inspector of boilers and pressure vessels issued by the national board of boiler and pressure vessel inspectors. A license as a special inspector for an inspector of a company operating boilers in this state shall be issued only if the inspector meets the requirements of this section and is employed full-time by the company and his or her duties include making inspections of boilers used, or to be used, by the company, and not for resale.

(2) An application for a license as an inspector of boilers shall be filed with the department of labor accompanied by a fee prescribed pursuant to section 4a. An application for examination as a special inspector shall be filed with the department of labor and be accompanied by a fee prescribed pursuant to section 4a not less than 30 days before the examination date. This fee shall entitle the applicant to take the examination provided in section 12, twice if necessary, and if successful in passing either examination, to a license. An additional fee prescribed pursuant to section 4a shall accompany each subsequent application. Each license issued to special inspectors shall be renewed annually upon an application accompanied by a fee prescribed pursuant to section 4a.

(3) The special inspectors shall not receive a salary or any expenses from this state. The continuance of a special inspector's license is conditioned upon the inspector continuing in the employ of a boiler insurance company, a city, or a company operating a boiler in this state and upon the inspector maintaining the standards imposed by this act.

(4) The special inspectors shall inspect all boilers insured, operated, or under the jurisdiction of the employer and, when inspected, the owners and users of the boilers shall be exempt from the payment to the department of the inspection fee prescribed pursuant to section 4a.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986.

#### **408.762 Examination for inspectors; content; reexamination; record for inspection.**

Sec. 12. The examination for chief, deputy, or special inspectors shall be written. The examination for boiler operators shall be either written or oral. The examination for stationary engineers shall be both written and oral. The examinations shall be administered by the board, and not less than 2 members of the board shall be present at all times during an examination. Examinations shall be confined to questions that will aid in determining the fitness and competency of the applicant for the intended service, and may be those prepared by the national board of boiler and pressure vessel inspectors. The board may adopt any examination it determines appropriate and may delegate any administrative functions relating to the conduct of the examination. If an applicant for a license fails to pass the examination, the applicant may appeal to the board for another examination which shall be given by the board within 90 days. The record of an applicant's

examination shall be accessible to the applicant and the applicant's employer.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

**408.763 Installation or repair of boiler; license required; person licensed under Forbes mechanical contractors act; examination; issuance; fee; renewal; exemption.**

Sec. 13. (1) Except as otherwise provided in this act, a person shall not engage in the business of installing boilers or repairing boilers, or both, unless the person has obtained a license under this act from the director.

(2) A person licensed under the Forbes mechanical contractors act, 1984 PA 192, MCL 338.971 to 338.988, in the classification of hydronic heating and cooling and process piping may install, repair, alter, and remove a residential boiler installed in a residence exempt from this act under section 7 without obtaining a license under this act.

(3) The board may conduct an examination for a license to establish the competency of an applicant.

(4) A license shall be issued by the director upon recommendation of the board and upon payment of a fee prescribed pursuant to section 4a for each application.

(5) A license shall be renewed annually upon payment of a fee prescribed pursuant to section 4a.

(6) An individual in the employ of a licensee is not required to be licensed.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986;—Am. 2008, Act 518, Imd. Eff. Jan. 13, 2009.

**408.763a Operation of boiler and auxiliaries without registration; use of certain terms by individual or business entity; registration requirements.**

Sec. 13a. (1) An individual may operate a boiler and associated auxiliaries without obtaining a registration under this act.

(2) An individual or business entity shall not use the terms "registered boiler operator", "certified boiler operator", "registered stationary engineer", "certified stationary engineer", "low pressure registered boiler operator", "low pressure certified boiler operator", "high pressure registered boiler operator", "high pressure certified boiler operator", "third-class registered stationary engineer", "third-class certified stationary engineer", "second-class registered stationary engineer", "second-class certified stationary engineer", "first-class registered stationary engineer", "first-class certified stationary engineer", or any other name, style, or description that indicates that the individual or an individual employed by the business entity is registered under this act unless the individual has been issued a registration under this act.

(3) The individual participating in an approved apprenticeship program, a qualified technical training program, or a qualified training program may use the title "apprentice certified boiler operator" or "apprentice certified stationary engineer".

(4) An individual registered under this act shall only use 1 of the titles described in subsection (2) or the abbreviation "R.B.O.", "C.B.O.", "R.S.E.", or "C.S.E.".

(5) A person applying for a registration under this act shall be not less than 18 years of age, shall possess the physical and mental capacities to perform his or her duties in a competent and safe manner, and shall meet the applicable requirements of section 13d. An applicant shall use a form provided by the director.

(6) The director shall issue a registration upon recommendation of the board and upon the applicant's payment of an examination and registration fee as provided for in rules of the department as prescribed in section 4a for each application. A registration shall be renewed annually upon payment of a fee prescribed pursuant to section 4a.

(7) Not later than 1 year after the effective date of the amendatory act that added this section, the board shall recommend for registration without examination an applicant who submits evidence satisfactory to the board of 1 or more of the following:

(a) The applicant has had not less than 5 years of experience in the class or category of boiler operator or stationary engineer for which the applicant is applying.

(b) The applicant possesses a license as a boiler operator or stationary engineer from the cities of Detroit or Dearborn in a class for which the applicant is applying.

(c) The applicant has successfully completed a 4-year approved apprenticeship program, a qualified technical education program, or a qualified training program in the class or category for which the applicant is applying.

**History:** Add. 2008, Act 159, Imd. Eff. June 11, 2008.

**408.763b Boiler operator and stationary engineer registrations; classification.**

Sec. 13b. Boiler operator and stationary engineer registrations are classified as follows:

(a) Low pressure boiler operator, who operates low pressure boiler plants having an aggregate of not more

than 4,000 square feet of boiler heating surface.

(b) High pressure boiler operator, who operates boiler plants having an aggregate of not more than 4,000 square feet of boiler heating surface or not more than 10 steam engine-turbine horsepower.

(c) Third-class stationary engineer, who operates boiler plants having an aggregate of not more than 7,500 square feet of boiler heating surface or not more than 100 steam engine-turbine horsepower.

(d) Second-class stationary engineer, who operates boiler plants having an aggregate of not more than 20,000 square feet of boiler heating surface or not more than 200 steam engine-turbine horsepower.

(e) First-class stationary engineer, who operates boiler plants having an aggregate of 20,000 square feet or more of boiler heating surface or 200 steam engine-turbine horsepower or more.

**History:** Add. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.763c Qualified technical education programs; course content; rules.**

Sec. 13c. (1) Not later than 180 days after the effective date of the amendatory act that added this section, the board shall promulgate rules designating the course content for qualified technical education programs for the various categories and classes of registration of boiler operators and stationary engineers.

(2) The rules described in subsection (1) shall provide that the course content of qualified technical education programs for entry level registrants include at least all of the following subject matter areas:

- (a) Basic functions, construction, and operation of all types of boilers.
- (b) The function of boiler appliances, accessories, and associated auxiliaries.
- (c) Materials used in boilers and the effect of temperature extremes on those materials.
- (d) The fuels used in boilers and fundamentals of combustion.
- (e) Basic electricity.
- (f) Plant operation and boiler maintenance.
- (g) Instrumentation and controls.
- (h) Fundamental mathematics and principles of the metric system.
- (i) General safety procedures.
- (j) Recognition of dangerous operation conditions.

(3) The board shall provide that the course content for categories and classes other than entry level registrants includes subject matter similar to those described in subsection (2) in the degree of depth and difficulty appropriate for the category and class.

**History:** Add. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.763d Registration requirements; qualifications.**

Sec. 13d. (1) The director shall not issue a registration for a title described in section 13a(2) unless the applicant meets the requirements for the classification as prescribed in subsections (2) to (6).

(2) An applicant for a low pressure boiler operator registration shall have not less than 1 year of experience operating or maintaining low or high pressure boilers, steam prime movers, or associated auxiliaries.

(3) An applicant for a high pressure boiler operator registration shall have 1 or more of the following:

(a) Not less than 2 years of experience in the operation of a high pressure boiler.

(b) A low pressure boiler operator's registration and not less than 1 year of experience in the operation of a low pressure boiler.

(c) Not less than 1 year of either a qualified training program, a qualified technical education program, or an approved apprenticeship program.

(4) An applicant for a third-class stationary engineer registration shall meet 1 or more of the following requirements:

(a) Be registered as a high pressure boiler operator and have not less than 1 year of experience in the operation of a high pressure boiler.

(b) Be registered as a low pressure boiler operator, have not less than 1 year of experience in the operation of a low pressure boiler, and have not less than 1 year of maintenance experience on high pressure boilers and associated auxiliaries.

(c) Be registered as a high pressure boiler operator and have not less than 1 year of boiler maintenance experience or not less than 1 year as an apprentice in an approved training program in a high pressure boiler plant having an aggregate heating surface of more than 4,000 square feet.

(d) Have not less than 3 years of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 4,000 square feet.

(e) Have not less than 1 year of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 4,000 square feet along with sufficient experience operating steam prime movers in excess of 10 horsepower for a combined total of not less than 3 years of experience.

(f) Have an associate degree in energy technology or a related field as determined by the board with a power engineering option from a 2-year college whose program is approved by the board and employment or cooperative education experience of not less than 360 hours as a power engineer, boiler operator, or stationary engineer in a steam electric generation plant or a high pressure steam heating or process plant.

(5) An applicant for a second-class stationary engineer registration shall meet 1 or more of the following requirements:

(a) Be registered as a third-class stationary engineer and have not less than 1 year of experience as a third-class stationary engineer.

(b) Have a bachelor's degree in engineering, engineering technology, heating/power technology, or energy technology from a college or university whose program is approved by the board and employment experience as an engineer in the engineering or research division of a steam electric power generating plant for not less than 1 year.

(c) Have not less than 4 years of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 7,500 square feet.

(d) Have not less than 1 year of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 7,500 square feet along with sufficient experience operating steam prime movers in excess of 100 horsepower for a combined total of not less than 4 years of experience.

(e) Have not less than 1 year of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 7,500 square feet along with sufficient experience operating boilers in a high pressure boiler plant having an aggregate heating surface of more than 4,000 square feet for a combined total of not less than 4 years of experience.

(6) An applicant for a first-class stationary engineer registration shall meet 1 or more of the following requirements:

(a) Be registered as a second-class stationary engineer and have not less than 2 years of experience as a second-class stationary engineer.

(b) Have not less than 6 years of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 20,000 square feet.

(c) Have not less than 2 years of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 20,000 square feet along with sufficient experience operating steam prime movers in excess of 200 horsepower for a combined total of not less than 6 years of experience.

(d) Have not less than 2 years of experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 20,000 square feet along with sufficient experience in the operation of boilers in a high pressure boiler plant having an aggregate heating surface of more than 7,500 square feet of heating surface for a combined total of not less than 6 years of experience.

(e) Complete a 4-year approved apprenticeship program or a 4-year qualified training program.

(f) Complete a 4-year program with a bachelor's degree from a college or university in engineering, engineering technology, heating/power technology, or energy technology whose program is approved by the board and which includes a hands-on power option from a 2-year community college program or the equivalent, as determined by the board, and not less than 1 year of employment, internship, or cooperative education experience in a steam electric generation plant or high pressure steam heating process plant.

**History:** Add. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.764 License or registration suspensions; notice; appeal; revocation; hearing; reinstatement.**

Sec. 14. (1) The chief inspector may suspend the license of an inspector, repairer, or installer or the registration of a boiler operator or stationary engineer due to the incompetence of the registrant or licensee or due to willful falsification of a matter or statement contained in that registrant's or licensee's application or in a report of inspection made by the registrant or licensee. Written notice of the suspension shall be given by the chief inspector within 10 days after the suspension to the registrant or licensee, the registrant's or licensee's employer, and the board. A person whose registration or license has been suspended may appeal to the board as provided in section 22 and be present in person and be represented by counsel at the hearing of the appeal.

(2) If the board has reason to believe that a registrant or licensee is no longer qualified to hold his or her registration or license, the board, upon not less than 10 days' written notice to the registrant or licensee and the registrant's or licensee's employer, shall hold an administrative hearing at which the registrant or licensee and his or her employer shall have an opportunity to be heard. If, as a result of the hearing, the board finds that the registrant or licensee is no longer qualified to hold his or her registration or license, the board shall

recommend to the director that the registration or license be revoked, and the director shall immediately revoke the registration or license.

(3) A person whose registration or license has been suspended may apply, after 90 days from the date of the suspension, for reinstatement of the registration or license.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.765 License lost or destroyed; reissuance, fee.**

Sec. 15. If a license is lost or destroyed, a new license shall, upon application and payment of a fee of \$5.00, be issued in its place without another examination.

**History:** 1965, Act 290, Eff. July 1, 1966.

#### **408.766 Repealed. 1966, Act 273, Imd. Eff. July 12, 1966.**

**Compiler's note:** The repealed section required permits for installation or alteration of boilers and prescribed fees.

#### **408.767 Installation or alteration of boiler; permit required; issuance; fee.**

Sec. 17. A person shall not install or alter a boiler without first securing a permit to install or alter a boiler from the boiler division of the department of labor. A permit shall be issued only to a person licensed as provided in this act. Work shall not be performed except by or under the immediate supervision of a person licensed under this act. A permit fee prescribed pursuant to section 4a shall be paid directly to the department of labor and shall accompany an application for a permit to install or alter a boiler. A permit fee is not required for a boiler exempt from inspection as provided by section 7.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986.

#### **408.768 Repair of boiler; permit required; exceptions; issuance; fee.**

Sec. 18. A person shall not repair a boiler without first securing a permit to repair the boiler from the boiler division of the department of labor, unless the repair has been authorized by a licensed inspector pending issuance of the permit, or the repair is emergency maintenance performed by qualified welders regularly employed by a firm that utilizes properly qualified welding procedures to weld on boilers owned and operated by the firm. A permit shall be issued only to a person licensed to repair boilers under this act. Work shall not be performed except by or under the immediate supervision of a licensed person. A permit fee prescribed pursuant to section 4a shall be paid directly to the department of labor and shall accompany an application for a permit to repair. A fee for a permit to repair is not required from a firm that utilizes properly qualified welding procedures and regularly employs qualified welders, registered with the boiler division of the department of labor, to weld on boilers owned and operated by the firm.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986.

#### **408.769 Access to premises; inspection of boiler; hydrostatic test.**

Sec. 19. (1) The director, the chief inspector, or a deputy inspector shall have free access, during reasonable hours, to premises in the state where a boiler is being constructed, installed, repaired, or operated, for the purpose of determining whether the boiler is in accordance with this act.

(2) Each boiler used or proposed to be used in this state shall be thoroughly inspected as to the boiler's construction, installation, and condition as follows:

(a) Power boilers, process boilers, and high pressure high temperature water boilers shall receive a certificate inspection annually and shall be externally inspected annually, while under pressure, within 6 months from the date of the certificate inspection.

(b) Low pressure steam or vapor heating boilers, hot water heating boilers, and hot water supply boilers shall receive a certificate inspection biennially.

(c) A grace period of 2 months beyond the periods in subdivisions (a) and (b) may elapse between certificate inspections and the board may permit longer periods between certificate inspections.

(3) The inspection shall be made by the chief inspector, a deputy inspector, or by a special inspector.

(4) If a hydrostatic test is considered necessary by the inspector, the test shall be made by the boiler owner or user.

(5) A boiler, other than a cast iron sectional boiler, that is to be installed in this state shall be inspected during construction, as required by the applicable rules of the board, by an inspector licensed to inspect boilers in this state. If the boiler was constructed outside of the state, the boiler shall have been inspected by an inspector holding a license as an inspector of boilers for a state that has a standard of examination substantially equal to that of this state or a license issued by the national board of boiler and pressure vessel

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inspectors.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980.

**408.770 Inspection report; filing; forms; fee; issuance, contents, validity, posting, and suspension of inspection certificate.**

Sec. 20. (1) The chief inspector, a deputy inspector, and a company or city that employs special inspectors, within 30 days following each boiler certificate inspection required by this act, shall file a report of the inspection with the chief inspector upon appropriate forms approved by the board. The forms may be the forms recommended by the national board of boiler and pressure vessel inspectors. A report of an external inspection is not required except when an external inspection discloses that a boiler is in a dangerous condition.

(2) If the report filed pursuant to subsection (1) shows that a boiler complies with the rules of the board, the owner or user of the boiler shall pay a fee prescribed pursuant to section 4a directly to the department of labor. The department of labor shall issue to that owner or user of a boiler an inspection certificate bearing the date of inspection and specifying the maximum pressure under which the boiler may be operated. The inspection certificate shall be valid for not more than 12 months in the case of power boilers, except that the certificate shall be valid during a grace period as provided in section 19. An inspection certificate shall be valid for not more than 24 months for low pressure steam or vapor heating boilers, hot water heating boilers, or hot water supply boilers, except that the certificate shall be valid during a grace period as provided in section 19. A certificate shall be posted under glass in the room containing the boiler inspected. If the boiler is not located within the building, the certificate shall be posted in a location convenient to the boiler inspected or in a place that is accessible to interested parties.

(3) An inspection certificate issued for an insured boiler by a special inspector shall not be valid after the boiler for which the certificate was issued ceases to be insured by a company authorized by this state to carry the insurance, if the insurance was terminated because of an unsafe condition or a violation of a rule of the board.

(4) The chief inspector may suspend an inspection certificate when, in his or her opinion, the boiler for which the certificate was issued cannot be operated without harm to the public safety, or when the boiler is found not to comply with the rules promulgated under this act. A suspension of an inspection certificate shall continue in effect until the boiler conforms to the rules of the board and the inspection certificate has been reinstated.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980;—Am. 1986, Act 277, Imd. Eff. Dec. 19, 1986.

**Administrative rules:** R 408.4001 et seq. of the Michigan Administrative Code.

**408.771 Repealed. 1986, Act 277, Imd. Eff. Dec. 19, 1986.**

**Compiler's note:** The repealed section pertained to fees.

**408.772 Appeal to board.**

Sec. 22. A person who is aggrieved by an order or act of the director or the chief inspector within 15 days' notice after the order or act, may appeal the order or act to the board. The board, within 30 days, shall issue an appropriate order either approving or disapproving the order or act. A copy of the order of the board shall be given to all interested parties.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1980, Act 274, Imd. Eff. Oct. 8, 1980.

**408.773 Inapplicability of act; construction of act as to repairs in public utilities and industrial plants.**

Sec. 23. The provisions of this act shall not be applicable to or in any city having a population of 1,000,000 or more.

Nothing in this act shall be construed to require a license or permit to repair boilers located in public utilities or industrial plants which repair and maintain their own boilers in accordance with accepted procedures and practices; or to require a license to replace a boiler with a similar unit in such public utilities or industrial plants.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966.

**408.774 Unlawful operation of boilers; violation; penalty.**

Sec. 24. (1) An individual, or other person, shall not operate a boiler without a valid inspection certificate.

The operation of a boiler without a valid inspection certificate or at a pressure exceeding that specified in the inspection certificate is a misdemeanor on the part of the owner, user, or operator punishable by imprisonment for not more than 60 days, or by a fine of not more than \$500.00, or both. Each day of the unlawful operation is a separate offense.

(2) A person using a title described in section 13a(2) without a registration issued under this act is guilty of a misdemeanor punishable by imprisonment for not more than 60 days, a fine of not more than \$2,000.00, or both.

(3) A business entity using or advertising the use of an individual having a title described in section 13a(2), if that individual is not registered under this act, is guilty of a misdemeanor punishable by imprisonment for not more than 60 days, a fine of not more than \$2,000.00, or both.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1966, Act 273, Imd. Eff. July 12, 1966;—Am. 2008, Act 159, Imd. Eff. June 11, 2008.

#### **408.775 Unlawful installation or repair; penalty; exception.**

Sec. 25. It shall be unlawful for any person, firm, partnership or corporation to install or repair in this state, a boiler without a valid license to install or repair. The installation or repair of boilers without a valid license is a misdemeanor on the part of the installer or repairer. The provisions of this section shall not apply to the repair or replacement of boilers exempted from the license and permit provisions of this act by section 23.

**History:** 1965, Act 290, Eff. July 1, 1966;—Am. 1970, Act 103, Imd. Eff. July 23, 1970.

#### **408.776 Effective date of act.**

Sec. 26. This act shall take effect July 1, 1966.

**History:** 1965, Act 290, Eff. July 1, 1966.



R 408.xxxx Scope.

Rule. These rules establish minimum standards for the registration of boiler operators and stationary engineers.

R 408.xxxx Definitions.

Rule.

**Review Panel** – means a group of no less than three individuals knowledgeable in the profession of boiler operator or stationary engineer that have been approved by the board to act on their behalf to conduct reviews of applications for registration or conduct oral reviews of applicants for registration as stationary engineering.

R 408.xxx Reciprocity with another state, municipality or country.

Rule. (1) Request for reciprocity shall be accompanied by information sufficient for the board of boiler rules to compare the criteria for qualification of the issuing jurisdiction to the criteria for registration under Michigan's boiler law and rules.

2. The board of boiler rules may accept information maintained by a nationally recognized organization that details an individual's qualification for registration or licensing accepted by an issuing jurisdiction for the purpose of comparison for acceptance as meeting the State of Michigan requirements for registration.

R 408.xxx Application for registration without examination.

Rule. An applicant wishing to **apply** for registration prior to June 11, 2009 under section 13a (7) of the act for one of the classification identified in section 13b of the act shall provide information deemed necessary by the board of boiler rules to determine qualification.

R 408.xxxx Boiler Operator and Stationary Engineer **Application for Examination**; examination fees

Rule. 1. The examination for high and low pressure boiler operator shall be written and shall be held at a location selected by the boiler division of the department.

2. The examination for stationary engineer shall be written and oral and shall be held at a location selected by the boiler division of the department. The oral examination shall be for the purpose of determining an applicant's ability to respond to equipment situations in a real time atmosphere. The oral examination shall be administered by a review panel approved by the board of boiler rules.

3. Examinations for boiler operator and stationary engineers shall be given 4 times each year in February, May, August, and November. An applicant's qualification for **examination** in any of the classification listed in section 13b shall be determined by a review panel before a **written or oral** examination is administered. The written examination shall be administered by the board. The board may adopt an examination developed by a nationally recognized organization ~~it determines appropriate~~ and may delegate the administrative function relating to the conduct of the examination.

4. The fee prescribed by R 408.4038 shall be charged for each applicant taking **an** examination for boiler operator or stationary engineer and shall accompany the

application for **examination** filed with the boiler division. **Stationary engineers that successfully complete the written examination must submit a new application and fee for the oral examination.** The fee entitles the applicant to take an examination once. An additional fee prescribed by R408.4038 shall accompany each subsequent application.

R 408.xxxx Registration application.

1. **A fee prescribed by R 408.4038 shall be charged for each registration and shall accompany the application.** An application for registration shall indicate the classification requested and shall be accompanied by documentation sufficient for the board to determine an individual's qualification under one of the classifications listed in section 13b.

R 408.xxxx Annual renewal of registration.

Rule. A registration issued to a boiler operator or stationary engineer shall expire at the end of 12 months from the date of issuance. Registrations must be renewed annually to remain valid. The renewal application shall be accompanied by a fee as prescribed by R 408.4038. An individual that has not renewed their registration for more than 3 years shall be required to **take a new written and oral examination as applicable and if successful** submit a new application **for registration**.

R 408.xxxx Qualified Technical Education Program Content; board of boiler rules approval; application and approval process; standards; fees.

Rule. 1) **An organization** wishing to apply for approval of a qualified technical education program (QTEP) or a qualified training program (QTP) shall apply for approval by submitting the required information on an application provided by the Boiler Division pursuant to Section 2(q) of the Act. All applications must be complete. If an application is incomplete, it will not be fully evaluated. The incomplete application will be returned and the applicant notified in writing of the deficiencies within 30 days of the date that the application is received by the Boiler Division. Subsequent application submissions that supersede deficient applications shall be treated as a new application.

2) An application for approval of a QTEP or QTP shall be evaluated for compliance with the Act and these Rules. The fee for review of **an** application shall be \$100.00 and shall accompany the application.

3) An application and **attached documents shall contain:**

- a) The name and address of the applicant and all training site addresses.
- b) Policies or procedures for the selection of instructional staff for review and approval by the applicant.
- c) A statement of purpose and objectives of the program.
- d) Administrative and technical criteria for the development of the program.
- e) A description of the facilities, equipment and **learning instructional** materials consistent with the purpose, design and intended outcome of each learning experience in the program.
- f) A syllabus or course description, including contact hours for each course.
- g) A statement of the criteria used to determine successful completion by participants in each of the training programs offered by the applicant.

- h) A list of instructional materials and other resources essential for the successful presentation of the program.
  - i) Name and contact information of the individual responsible for the program.
- 4) If an application is disapproved, the boiler division shall notify the applicant within 30 days and provide a written explanation of the reason for disapproval.
- 5) Approval of a program by the board shall be evidenced by a program approval report prepared by the Boiler Division and issued to the applicant. The report will include the following:
- a) Name and address of the applicant.
  - b) Program identification number.
  - c) The date of approval.
  - d) The conditions of approval.
- 6) A program or amendment thereto which has been approved Board shall not be altered. **If an organization wishes to amend a Board approved program or any part thereof, the organization shall submit a draft document clearly identifying the changes for Board review. The organization shall not implement changes to the program without approval by the Board.** All changes shall be made a part of the written record of approval. The authorization shall be in writing or be confirmed in writing within 10 days of oral authorization.
- 7) The Board or its designee shall have access to any location during the presentation of an approved program for the purpose of evaluation to determine compliance with an approved program.